AUTHENTIC COPIES

OF THE

CORRESPONDENCE

OF

CHARLES COTESWORTH PINCKNEY,
JOHN MARSHALL,
AND
ELBRIDGE GERRY, Esqrs.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY TO THE REPUBLIC OF FRANCE;

AS PRESENTED TO

BOTH HOUSES OF CONGRESS,

APRIL 3, 1798,

BY

HIS EXCELLENCY JOHN ADAMS,

President of the United States of America.

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1798.

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OF THE

CORRESPONDENCE,

&c.

Meſſage of the Preſident of the United States, to both Houſes of Congreſs, April 3, 1798.

Gentlemen of the Senate, and
Gentlemen of the Houſe of Repreſentatives,

IN compliance with the requeſt of the Houſe of Repreſentatives, expreſſed in their reſolution of the 2d of this month, I tranſmit to both Houſes, thoſe inſtructions to, and diſpatches from the Envoys Extraordinary of the United States to the French Republic, which were mentioned in my meſſage of the 19th of March laſt, omitting only ſome names, and a few expreſſions, deſcriptive of the perſons.

I requeſt that they may be conſidered in confidence, until the members of Congreſs are fully poſſeſſed of their contents, and ſhall have had opportunity to deliberate on the conſequences of their publication; after which time I ſubmit them to your wiſdom.

JOHN ADAMS.

United States, April 3d, 1798.

Inſtructions to Charles Cotesworth Pinckney, John Marſhall, and Elbridge Gerry, Envoys Extraordinary and Miniſters Plenipotentiary to the French Republic, referred to in the Meſſage of the Preſident of the United States, of the 3d April.

Department of State, July 15, 1797.

Gentlemen,

It is known to you, that the people of the United States of America entertained a warm and ſincere affection for the people of France, ever ſince their arms were united in the war with Great Britain, which ended in the full and formal acknowledgment of the independence of theſe States. It is known to you that this affection was ardent, when the French determined to reform their government and eſtabliſh it on the baſis of liberty; that liberty in which the people of the United States were born, and which, in the concluſion of the war above mentioned, was finally and firmly ſecured. It is known to you, that this affection roſe to enthuſiaſm, when the war was kindled between France and the powers of Europe, which were combined againſt her for the avowed purpoſe of reſtoring the monarchy; and every where vows were heard for the ſucceſs of the French arms. Yet during this period France expreſſed no wiſh that the United States ſhould depart from their neutrality. And while no duty required us to enter into the war, and our beſt intereſts urged us to remain at peace, the Government determined to take a neutral ſtation; which being taken, the duties of an impartial neutrality became indiſpenſably binding. Hence the Government early proclaimed to our citizens the nature of thoſe duties, and the conſequences of their violation.

The Miniſter of France, Mr. Genet, who arrived about this time, by his public declaration, confirmed the idea, that France did not deſire us to quit the ground we had taken. His meaſures, however, were calculated to deſtroy our neutrality, and to draw us into the war.

The principles of the proclamation of neutrality, founded on the law of nations, which is the law of the

land, were afterwards recognized by the national legiſlature, and the obſervance of them enforced by ſpecific penalties, in the act of Congreſs, paſſed the 5th of June 1794. By theſe principles and laws, the acts of the Executive, and the deciſions of the courts of the United States, were regulated.

A Government thus fair and upright in its principles, and juſt and impartial in its conduct, might have confidently hoped to be ſecure againſt formal official cenſure: but the United States have not been ſo fortunate. The acts of their Government, in its various branches, though pure in principle and impartial in operation, and conformable to their indiſpenſable rights of ſovereignty, have been aſſigned as the cauſe of the offenſive and injurious meaſures of the French Republic. For proofs of the former all the acts of the Government may be vouched; while the aſperſions ſo freely uttered by the French Miniſters, the refuſal to hear the Miniſter of the United States, ſpecially charged to enter on amicable diſcuſſions on all the topics of complaint, the decrees of the Executive Directory and of their agents, the depredations on our commerce, and the violence againſt the perſons of our citizens, are evidences of the latter. Theſe injuries and depredations will conſtitute an important ſubject of your diſcuſſions with the Government of the French Republic; and for all theſe wrongs you will ſeek redreſs.

In reſpect to the depredations on our commerce, the principal objects will be, to agree to an equitable mode of examining and deciding the claims of our citizens, and the manner and periods of making them compenſation. As to the firſt, the ſeventh article of the Britiſh, and the twenty-firſt of the Spaniſh treaty, preſent approved precedents to be adopted with France. The propoſal made of adjuſting thoſe claims by commiſſioners appointed on each ſide, is ſo perfectly fair, we cannot imagine it will be refuſed. But when the claims are adjuſted, if payment in ſpecie cannot be obtained, it may be found neceſſary to agree, in behalf of our citizens, that they ſhall accept public ſecurities payable with intereſt at ſuch periods as the ſtate of the French finances ſhall render practicable.

practicable. These periods you will endeavour, as far as possible, to shorten.

Not only the recent depredations under colour of the decrees of the Directory, of the 2d of July 1796, and the 2d of March 1797, or under the decrees of their agents, or the illegal sentences of their tribunals, but all prior ones not already satisfactorily adjusted, should be put in this equitable train of settlement. To cancel many, or all of the last mentioned claims, might be the effect of the decree of the Executive Directory of the 2d of March last, concerning the decree of the 9th of May 1793: but this being an *ex post facto* regulation, as well as a violation of the treaty between the United States and France, cannot be obligatory on the former. Indeed, the greater part, probably nearly all the captures and confiscations in question, have been committed, in direct violation of that treaty, or of the law of nations. But the injuries arising from the capture of enemies property, in vessels of the United States, may not be very extensive; and if for such captured property the French Government will, agreeably to the law of nations, pay the freight and reasonable demurrage, we shall not on this account any farther contend. But of ship timber and naval stores taken and confiscated by the French, they ought to pay the full value; because our citizens continued their traffic in those articles under the faith of the treaty with France. On these two points we ought to expect that the French Government will not refuse to do justice: and the more because it has not, at any period of the war, expressed its desire that the commercial treaty should in this respect be altered.

Besides the claims of our citizens for depredations on their property, there are many arising from express contracts made with the French Government, or its agents, or founded on the seizure of their property in French ports. Other claims have arisen from the long detention of a multitude of our vessels in the ports of France. The wrong hereby done to our citizens was acknowledged by the French Government, and in some, perhaps in most of the cases, small payments towards indemnifications

demnifications have been made: the reſidue ſtill remains to be claimed.

All theſe juſt demands of our citizens will merit your attention. The beſt poſſible means of compenſation muſt be attempted. Theſe will depend on what you ſhall diſcover to be practicable in relation to the French finances. But an exception muſt be made in reſpect to debts due to our citizens by the contracts of the French Government and its agents, if they are comprehended in any ſtipulation; and an option reſerved to them, jointly or individually, either to accept the means of payment which you ſhall ſtipulate, or reſort to the French Government directly for the fulfilment of its contracts.

Although the reparation for loſſes ſuſtained by the citizens of the United States, in conſequence of irregular or illegal captures or condemnations, or forcible ſeizures or detentions, is of very high importance, and is to be impreſſed with the greateſt earneſtneſs, yet it is not to be inſiſted on as an indiſpenſable condition of the propoſed treaty. You are not, however, to renounce theſe claims of our citizens, nor to ſtipulate that they be aſſumed by the United States as a loan to the French Government.

In reſpect to the alterations of the commercial treaty with France, in the two caſes which have been principal ſubjects of complaint on her part, viz. enemies property in neutral ſhips, and the articles contraband of war; although France can have no right to claim the annulling of ſtipulations at the moment when by both parties they were originally intended to operate; yet if the French Government preſs for alterations, the Preſident has no difficulty in ſubſtituting the principles of the law of nations, as ſtated in the 17th and 18th articles of our commercial treaty with Great Britain, to thoſe of the 23d and 24th articles of our commercial treaty: and in reſpect to proviſions, and other articles not uſually deemed contraband, you are to agree only on a temporary compromiſe, like that in the 18th article of the Britiſh treaty, and of the ſame duration. If, however, in order to ſatisfy France, *now ſhe is at war*, we change the two important articles before mentioned, then the 14th article of the

French

French treaty, which ſubjects the property of the neutral nation found on board enemies ſhips to capture and condemnation, muſt of courſe be aboliſhed.

We have witneſſed ſo many erroneous conſtructions of the treaty with France, even in its plaineſt parts, it will be neceſſary to examine every article critically, for the purpoſe of preventing, as far as human wiſdom can prevent, all future miſinterpretations. The kind of documents neceſſary for the protection of the neutral veſſels ſhould be enumerated and minutely deſcribed; the caſes in which a ſea-letter ſhould be required may be ſpecified; the want of a ſea-letter ſhould not of itſelf be a cauſe of confiſcation, where other reaſonable proof of property is produced; and where ſuch proof is furniſhed, the want of a ſea-letter ſhould go no further than to ſave the captor from damages for detaining and bringing in the neutral veſſel. The proportions of the veſſel's crew which may be foreigners ſhould be agreed on. Perhaps it will be expedient to introduce divers other regulations conformably to the marine laws of France. Whenever theſe are to operate on the commerce of the United States, our ſafety requires that, as far as poſſible, they be fixed by treaty. And it will be deſirable to ſtipulate againſt any *ex poſt facto* laws or regulation, under any pretence whatever.

Great Britain has often claimed a right, and practiſed upon it, to prohibit neutral nations carrying on a commerce with her enemies which had not been allowed in time of peace. On this head it will be deſirable to come to an explicit underſtanding with France; and, if poſſible, to obviate the claim by an expreſs ſtipulation.

Such extreme depredations have been committed on the commerce of neutrals, and eſpecially on the United States, by the citizens of France, under pretence that her enemies (particularly Great Britain) have done the ſame things, it will be deſirable to have it explicitly ſtipulated, that the conduct of an enemy towards a neutral power ſhall not authorize or excuſe the other belligerent power in any departure from the law of nations or the ſtipulations of the treaty: eſpecially that the veſſels of the neutral nation ſhall never be captured or detained, or

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their property confiſcated or injured, becauſe bound to or from an enemy's port, except the caſe of a blockaded port, the entering into which may be prevented according to the known rule of the law of nations. And it may be expedient to define a blockaded place or port to be one actually inveſted by land or naval forces, or both, and that no *declaration* of a blockade ſhall have any effect without ſuch actual inveſtment. And no commercial right whatever ſhall be abandoned which is ſecured to neutral powers by the European law of nations.

The foregoing articles being thoſe which the French Government has made the oſtenſible grounds of its principal complaints, they have naturally been firſt brought to view. But the propoſed alterations and arrangements ſuggeſt the propriety of reviſing all our treaties with France. In ſuch reviſion, the firſt object that will attract your attention is the reciprocal guaranty in the 11th article of the treaty of alliance. This guaranty we are perfectly willing to renounce. The guaranty by France of the liberty, ſovereignty, and independence of the United States will add nothing to our ſecurity, while, on the contrary, our guaranty of the poſſeſſions of France in America will perpetually expoſe us to the riſk and expenſe of war, or to diſputes and queſtions concerning our national faith.

When Mr. Genet was ſent as the Miniſter of the French Republic to the United States, its ſituation was embarraſſed, and the ſucceſs of its meaſures problematical. In ſuch circumſtances it was natural that France ſhould turn her eye to the mutual guaranty: and accordingly it was required, in Mr. Genet's inſtructions, to be "an eſſential clauſe in the new treaty," which he was to propoſe; and on the ground that "it nearly concerned the peace and proſperity of the French nation, that a people whoſe reſources increaſe beyond all calculation, and whom nature had placed ſo near their rich colonies, ſhould become intereſted by their own engagements in the preſervation of thoſe iſlands." But at this time, France, powerful by her victories, and ſecure in her triumphs, may leſs regard the reciprocal guaranty with the United States, and be willing to relinquiſh it. As a ſubſtitute for the

reciprocal guaranty may be propoſed a mutual renunciation of the ſame territories and poſſeſſions, that were ſubjects of the guaranty and renunciation in the ſixth and eleventh articles of the treaty of alliance. Such a renunciation on our part, would obviate the reaſon aſſigned in the inſtruction to Mr. Genet before cited, *of future danger from the rapidly growing power of the United States.* But if France inſiſts on the mutual guaranty, it will be neceſſary to aim at ſome modification of it.

The exiſting engagement is of that kind which, by writers on the law of nations, is called a general guaranty; of courſe *caſus fœderis* can never except in a *defenſive* war. The nature of this obligation is underſtood to be, that, when a war *really* and *truly defenſive* exiſts, the engaging nation is bound to furniſh an *effectual* and adequate *defence* in co-operation with the power attacked: whence it follows that the nation *may* be required, in ſome circumſtances, to bring forward its whole force. The nature and extent of the ſuccours demandable not being aſcertained, engagements of this kind are dangerous on account of their uncertainty: there is always hazard of doing too much or too little, and of courſe of being involved in involuntary rupture.

Specific ſuccours have the advantage of certainty, and are leſs liable to occaſion war. On the other hand, a general guaranty allows a latitude for the exerciſe of judgment and diſcretion.

On the part of the United States, inſtead of troops or ſhips of war, it will be convenient to ſtipulate for a moderate ſum of money or quantity of proviſions, at the option of France: the proviſions to be delivered at our own ports, in any future *defenſive* wars. The ſum of money, or its value in proviſions, ought not to exceed two hundred thouſand dollars a year, during any ſuch wars. The reciprocal ſtipulation on the part of France may be to furniſh annually the like ſum of money, or an equivalent in military ſtores and clothing for troops, at the option of the United States, to be delivered in the ports of France.

Particular caution, however, muſt be uſed, in diſcuſſing this ſubject, not to admit any claims on the ground of the guaranty

guaranty in relation to the exiſting war; as we do not allow that the *caſus fœderis* applies to it. And if the war ſhould continue after your arrival in France, and the queſtion of the guaranty ſhould not be mentioned on her part, you may yourſelves be ſilent on the ſubject, if you deem it moſt prudent.

It will be proper here to notice ſuch articles of the treaty of amity and commerce between the United States and France as have been differently conſtrued by the two governments, or which it may be expedient to amend or explain.

Article 2. The aſſent of the United States, in their treaty with Great Britain, to the doctrine of the law of nations reſpecting enemies property in neutral ſhips, and ſhip timber and naval ſtores, and, in ſome caſes, proviſions, as contraband of war, the French Government has choſen to conſider as a voluntary *grant of favours*, in reſpect to commerce and navigation, to Great Britain, and that conſequently the ſame favours have become common to France. This conſtruction is ſo foreign from our ideas of the meaning and deſign of this article, it ſhows the neceſſity of reviewing all the articles, and, however clear they may appear, of attempting to obviate future miſconſtructions by declaratory explanations or a change of terms.

Article 5. France has repeatedly contended, that the impoſition of 50 *per cent. per* ton on French veſſels arriving in the United States, is contrary to the fifth article of the treaty. The argument in ſupport of this pretenſion is unknown; but it is preſumed to be unfounded. The reciprocal right of laying "duties or impoſts of what nature ſoever," equal to thoſe impoſed on the moſt favoured nations, and without any other reſtrictions, ſeems to be clearly ſettled by the third and fourth articles. The fifth article appears to have been intended merely to define and qualify the rights of American veſſels in France. It is however deſirable that the queſtion be underſtood, and all doubts concerning it removed. But the introduction of a principle of diſcrimination between the veſſels of different foreign nations, and in derogation of the powers of Congreſs to raiſe revenue by uniform duties on

any objects whatever, cannot be hazarded. The naturalization of French veſſels will of courſe be conſidered as inadmiſſible.

Article 8. The ſtipulation of doing us good offices, to ſecure peace to the United States with the Barbary powers, has never yet procured us any advantage. If therefore the French Government lays any ſtreſs on this ſtipulation, as authorizing a claim for ſome other engagements from us in favour of France, it may be abandoned; and eſpecially if its abrogation can be applied as a ſet-off againſt ſome exiſting French claim.

Article 14. If the alterations already propoſed are made in the 23d and 24th articles, then the 14th article, as before obſerved, muſt be aboliſhed.

Article 17. The conſtruction put on this article by the Government of the United States is conceived to be reaſonable and juſt, and is therefore to be inſiſted on. The tribunals of the reſpective countries will conſequently be juſtified in taking cognizance of all captures made within their reſpective juriſdictions, or by illegal privateers; and thoſe of one country will be deemed illegal which are fitted out in the country of the other remaining neutral: ſeeing, to permit ſuch arming would violate the neutral duties of the latter.

It will be expedient to fix explicitly the reception to be given *to public ſhips of war* of all nations. The French Miniſters have demanded, that the public ſhips of the enemies of France, which at any time, and in any part of the world, had made prize of a French veſſel, ſhould be excluded from the ports of the United States, and although they brought in no prize with them. In oppoſition to this demand, we have contended that they were to be excluded only when they came in with French prizes. And the kind of aſylum to be afforded in all other circumſtances, is deſcribed in Mr. Jefferſon's letter to Mr. Hammond, dated the 9th of September 1793, in the following words: "Thus, then, the *public ſhips of war* of both nations [Engliſh and French] enjoy a perfect equality in our ports; 1ſt, in caſes of urgent neceſſity; 2d, in caſes of comfort and convenience; and 3d, in the time they chooſe to continue."

And ſuch ſhelter and accommodation are due to the public ſhips of all nations, on the principle of hoſpitality among friendly nations.

It will alſo be expedient explicitly to declare, that the right of aſylum ſtipulated for the armed veſſels of France and their prizes gives no right to make ſale of thoſe prizes.

But when prize ſhips are ſo diſabled as to be incapable of putting to ſea again until refitted, and when they are utterly diſabled, ſome proviſion is neceſſary relative to their cargoes. Both caſes occurred laſt year. The Government permitted, though with heſitation and caution, the cargoes to be unloaded, one of the veſſels to be repaired, and part of the prize goods ſold, to pay for the repairs; and the cargo of the veſſel, that was found unfit ever to go to ſea again, was allowed to be exported as prize goods, even in neutral bottoms. The doubts on theſe occaſions aroſe from the 24th article of the Britiſh treaty, forbidding the ſale of the prizes of privateers, or the exchanging of the ſame in any manner whatever. But as French prizes were entitled to an aſylum in our ports, it was conceived to be a reaſonable conſtruction of it to allow of ſuch proceedings as thoſe above mentioned, to prevent the total loſs of veſſels and cargoes. The 25th article of the Britiſh treaty demands attention; as it is therein ſtipulated, that no future treaty ſhall be made that ſhall be inconſiſtent with that or the 24th article. Another doubt aroſe, whether the Britiſh treaty did not, in good faith, require the prohibition of the ſale of prizes made by the *national ſhips* of France, as well as of thoſe made by her privateers; eſpecially ſeeing our treaty with France gave her no right to ſell any prizes whatever; but upon the whole it was conceived, that the United States, having before allowed the ſale of ſuch prizes, and the prohibitions in the 24th article of the treaty being diſtinctly pointed againſt the ſale of the prizes of privateers, it was thought proper to permit the former practice to continue, until the Executive ſhould make and publiſh a prohibition of the ſale of all prizes, or that Congreſs ſhould paſs a prohibitory law.

Article

Article 22. If in new-modelling the treaty with France, the total prohibition of the ſale of prizes in the ports of the party remaining neutral ſhould not be agreed on, at leaſt the right of each power to make at its pleaſure ſuch prohibition, whether they are prizes of national ſhips or privateers, ſhould be acknowledged, for the reaſon more than once ſuggeſted—to prevent a repetition of claims upon unfounded conſtructions; ſuch as under the preſent article, that a prohibition to an enemy of either party is a grant to the other of the thing forbidden.

Articles 23 and 24. Theſe have been already conſidered, and the alterations propoſed have been mentioned.

There have been ſo many unjuſt cauſes and pretences aſſigned for capturing and confiſcating American veſſels, it may perhaps be impoſſible to guard againſt a repetition of them in any treaty which can be deviſed. To ſtate the cauſes and pretences that have been already advanced by the Government of France, its agents and tribunals, as the grounds of the capture and condemnation of American veſſels and cargoes, would doubtleſs give pain to any ingenuous mind who ſhould be employed on the part of France to negotiate another treaty, or a modification of the treaties which exiſt. It is not deſired, therefore, to go farther into detail on theſe matters, than ſhall be neceſſary to guard by explicit ſtipulations againſt future miſconſtructions, and the miſchiefs they will naturally produce.

Under pretence that certain ports were ſurrendered to the Engliſh by the treachery of the French and Dutch inhabitants, Victor Hugues and Lebas, the ſpecial agents of the Executive Directory at Guadaloupe, have declared, that all neutral veſſels bound to or from ſuch ports ſhall be good prize.

Under the pretence that the Britiſh were taking all neutral veſſels bound to or from French ports, the French agents at St. Domingo (Santhonax and others) decreed, that all *American* veſſels bound to or from Engliſh ports ſhould be captured; and they have ſince declared ſuch captured veſſels to be good prize. The French conſuls

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in Spain have, on the ſame ground, condemned a number of American veſſels, merely becauſe they were deſtined to or coming from an Engliſh port.

Under the pretence that the ſea-letters, or paſſports, preſcribed by the commercial treaty for the mutual advantage of the merchants and navigators of the two nations, to ſave their veſſels from detention and other vexations, when met with at ſea, by preſenting ſo clear a proof of the property, are an indiſpenſable document to be found on board, the French confiſcate veſſels deſtitute of them, even when they acknowledge the property to be American.

Becauſe horſes and their military furniture, when deſtined to any enemy's ports, are by the 24th article of the commercial treaty declared contraband, and as ſuch by themſelves only liable to confiſcation, Hugues and Lebas decreed all *neutral veſſels*, having horſes or any other contraband goods on board, ſhould be good prize; and they accordingly condemned veſſels and cargoes.

The ancient ordinances of the French monarchs required a variety of papers to be on board neutral veſſels, the want of any one of which is made a cauſe of condemnation; although the 25th article of the commercial treaty mentions what certificates ſhall accompany the merchant veſſels and cargoes of each party, and which, by every reaſonable conſtruction, ought to give them protection.

It will therefore be adviſable to guard againſt abuſes by deſcending to particulars, to deſcribe the ſhips' papers which ſhall be required, and to declare, that the want of any other ſhall not be a cauſe for confiſcation: to fix the mode of manning veſſels as to the officers, and the proportion of the crews who ſhall be citizens; endeavouring to provide, in reſpect to American veſſels, that more than one third may be foreigners. This proviſion will be important to the Southern States, which have but few native ſeamen.

The marine ordinances of France will ſhow what regulations have been required to be obſerved by allies, as well as neutral powers in general, to aſcertain and ſecure the property of neutrals. Some of theſe regulations

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may be highly proper to be adopted, while others may be inconvenient and burdenſome. Your aim will be to render the documents and formalities as few and as ſimple as will conſiſt with a fair and regular commerce.

Articles 25 and 27. Theſe two articles ſhould be rendered conformable to each other. The 27th ſays, that after the exhibition of the *paſſport*, the veſſel ſhall be allowed to paſs without moleſtation or ſearch, without giving her chaſe, or forcing her to quit her intended courſe. The 25th requires, that, beſides the *paſſport*, veſſels ſhall be furniſhed with certain certificates, which of courſe muſt alſo be exhibited. It will be expedient to add, that if, in the face of ſuch evidence, the armed veſſel will carry the other into port, and the papers are found conformable to treaty, the captors ſhall be condemned in all the charges, damages, and intereſts thereof, which they ſhall have cauſed. A proviſion of this nature is made in the 11th article of our treaty with the United Netherlands.

Article 28. The prohibited goods here mentioned have no relation to contraband, but merely to ſuch as *by the laws of the country are forbidden to be exported*. Yet, in the caſe of exporting horſes from Virginia, which no law prohibited, in the winter of 1796, this article was applied by the French Miniſter to *horſes*, which by the French treaty are contraband of war. And a letter from the Miniſter to Victor Hugues and Lebas, informing them that the American Government refuſed to prevent ſuch export of horſes by the Britiſh, is made one ground for their decree above mentioned.

Article 30. The veſſels of the United States ought to be admitted into France in the ſame manner as the veſſels of France are admitted into the ports of the United States. But ſuch a ſtipulation ought not to authorize the admiſſion of veſſels of either party into the ports of the other, into which the admiſſion of all foreign veſſels ſhall be forbidden by the laws of France and of the United States reſpectively. With this reſtriction, the principles of the 14th article of the treaty with Great Britain afford a liberal and unexceptionable precedent.

A re-

A reſtriction like that here referred to will be found in the firſt paragraph of the third article of the Britiſh treaty.

The commerce to the French colonies in the Eaſt and Weſt Indies will doubtleſs be more or leſs reſtricted, according to the uſage of other European nations. Yet, on account of the diſarranged condition of the French navigation, probably a larger latitude of trade with their colonies will be readily permitted for a term of years: and perhaps the mutual advantages thence reſulting will be found ſo great as to induce afterwards a prolongation of that term, to which the courſe or habit of buſineſs may contribute.

While between the United States and France there ſhall ſubſiſt a perfect reciprocity in reſpect to commerce, we muſt endeavour to extend our trade to her colonies to as many articles as poſſible. Of theſe the moſt important are, proviſions of all kinds, as beef, pork, flour, butter, cheeſe, fiſh, grain, pulſe, live ſtock, and every other article ſerving for food, which is the produce of the country, horſes, mules, timber, plants, and wood of all kinds, cabinet ware and other manufactures of the United States; and to obtain in return all the articles of the produce of thoſe colonies, without exception; at leaſt to the value of the cargoes carried to thoſe colonies.

There have been different conſtructions of the conſular convention. The French have contended for the execution of their conſular deciſions by the Marſhal or other officer of the United States; and their Miniſter of Juſtice has formally ſtated, in a report to the Miniſter of Foreign Affairs, that the judicial ſentences of the American conſuls in France will be executed by certain officers of juſtice in that country. The legal opinion of the law officers of the United States, which the Government had adopted, oppoſes ſuch a conſtruction. The French have alſo contended, that deſerters from French veſſels ought to be apprehended by the judicial officers of the United States, upon other evidence than the original ſhipping paper, or *role d'equipage*; whereas, the diſtrict judges have inſiſted, that the conſular convention requires the original roll to be produced. This claim was lately re-

vived

vived by the Conſul-general of the French Republic. The correſpondence on this occaſion will be joined to the other documents which accompany theſe inſtructions.

The United States cannot conſent to the erecting of foreign tribunals within their juriſdiction. We conſider the judicial authority of conſuls, as deſcribed in the conſular convention, to be voluntary, not compulſory, in the country where they reſide; and that their deciſions, if not obeyed by the parties reſpectively, muſt be enforced by the laws of their proper country: and ſuch a proviſion you will ſee has been made in France, where a penalty of 1400 livres is impoſed on the citizen who refuſes obedience to a conſular deciſion in a foreign ſtate.

The conſular conſtitution will expire in about four years; and if any great difficulties ariſe in the ſettling the terms of a new one, that which exiſts muſt take its courſe; but if the French Government ſhould be ſilent on the ſubject of the conſular convention, ſilence may be obſerved on our part.

The ports of the United States being frequented by the veſſels of different belligerent powers, it became neceſſary to regulate the times of their ſailing. The Preſident, therefore, adopted what was underſtood to be the received rule in Europe; and ordered, that after the ſailing of a veſſel of one of the belligerent powers, twenty-four hours ſhould elapſe before an armed veſſel of an enemy of the former ſhould ſet ſail. This rule has not been duly reſpected by the armed veſſels of France and Great Britain.

As the tranquillity of the United States requires that no hoſtile movements be commenced within their juriſdiction, and the intereſts of commerce demand an entire freedom to the departure of veſſels from their ports, it may be expedient expreſsly to recognize the above-mentioned rule.

It will alſo be expedient to agree on the extent of territorial juriſdiction on the ſea-coaſt, and in what ſituations bays and ſounds may be ſaid to be land-locked, and within the juriſdiction of the ſovereign of the adjacent country.

On the ſuppoſition that a treaty will be negotiated to alter

alter and amend the treaties which now exiſt between France and the United States, the following leading principles, to govern the negotiation, are ſubjoined:

1. Conſcious integrity authorizes the Government to inſiſt, that no blame or cenſure be directly or indirectly imputed to the United States. But, on the other hand, however exceptionable in the view of our own Government and in the eyes of an impartial world may have been the conduct of France, yet ſhe may be unwilling to acknowledge any aggreſſions, and we do not wiſh to wound her feelings or to excite reſentment. It will therefore be beſt to adopt on this point the principle of the Britiſh treaty, and "terminate our differences in ſuch manner, as, without referring to the merits of our reſpective complaints and pretenſions, may be the beſt calculated to produce mutual ſatisfaction and good underſtanding."

2. That no aid be ſtipulated in favour of France during the preſent war.

3. That no engagements be made inconſiſtent with the obligations of any prior treaty.

4. That no reſtraint on our lawful commerce with any other nation be admitted.

5. That no ſtipulation be made, under colour of which tribunals can be eſtabliſhed within our juriſdiction, or perſonal privileges claimed by French citizens, incompatible with the complete ſovereignty and independence of the United States in matters of policy, commerce, and government.

It will be expedient to limit the duration of the treaty to a term of from ten to twenty years. Such changes in the circumſtances of the two parties are likely to happen within either of thoſe periods, as to give one or both good reaſon to deſire a change in the conditions of the treaty. From this limitation may be excepted ſuch articles as are declaratory of a ſtate of peace, or as are intended to regulate the conduct of the two nations at the commencement of, or during a ſtate of war, or which are founded in morality and juſtice, and are in their nature of perpetual obligation. Of this kind may be conſidered the 10th article of the treaty with Great Bri-

tain; which therefore may very properly be introduced into the treaty with France.

Finally, the great object of the Government being to do juſtice to France and her citizens, if in any thing we have injured them; to obtain juſtice for the multiplied injuries they have committed againſt us; and to preſerve peace; your ſtyle and manner of proceeding will be ſuch as ſhall moſt directly tend to ſecure theſe objects. There may be ſuch a change of men and meaſures in France as will authorize, perhaps render politic, the uſe of ſtrong language, in deſcribing the treatment we have received. On the other hand, the French Government may be determined to fruſtrate the negotiation, and throw the odium on this country; in which caſe, any thing like warmth and harſhneſs would be made the pretext. If things remain in their preſent ſituation, the ſtyle of repreſentation will unite, as much as poſſible, calm dignity with ſimplicity, force of ſentiment with mildneſs of language, and be calculated to impreſs an idea of inflexible perſeverance, rather than of diſtruſt or confidence.

With theſe inſtructions, you will receive the following documents:

1. The printed ſtate papers, containing the correſpondence between the Secretary of State and the French Miniſter, Mr. Genet.

2. The letter dated January 16th, 1797, from the Secretary of State to General Pinckney, and the documents therein referred to; in which all the known complaints of the French Government, ſince the recall of Mr. Genet, are exhibited and diſcuſſed.

3. A report from the Secretary of State to the Houſe of Repreſentatives, dated the 27th of February 1797, exhibiting the ſtate of American claims which had been preſented to the French Government (but few of which have been ſatisfied), together with ſome other information relative to the depredations by the officers and people of that nation on the commerce of the United States.

4. A report made by the Secretary of State to the

Preſident of the United States, on the 21ſt of June 1797, and by him laid before Congreſs on the 22d.

5. Certain original depoſitions, proteſts, and other papers, relative to the French ſpoliations on the commerce, and perſonal inſults and injuries to the citizens, of the United States.

6. The documents laid before the Houſe of Repreſentatives the 17th of May 1797, relative to General Pinckney's miſſion to Paris, and comprehending ſome papers relative to the capture and condemnation of American veſſels by the French.

7. The correſpondence with the French Conſul-general Letombe.

TIMOTHY PICKERING,
Secretary of State.

Credence for Meſſrs. Pinckney, Marſhall, and Gerry, Envoy to France.

John Adams, Preſident of the United States of America, to the Executive Directory of the French Republic.

Citizens Directors,

Desirous of terminating all differences between the United States of America and the French Republic, and of reſtoring that harmony and good underſtanding, and that commercial and friendly intercourſe, which, from the commencement of their political connexion, until lately, have ſo happily ſubſiſted, I have nominated, and by and with the advice and conſent of the Senate of the United States, appointed Charles Cotesworth Pinckney, John Marſhall, and Elbridge Gerry, diſtinguiſhed citizens of theſe States, jointly and ſeverally, Envoys Extraordinary and Miniſters Plenipotentiary to the French Republic, for the purpoſe of accompliſhing the great objects above mentioned; wherefore I pray you, Citizens Directors, to give full credence to what they and each of them ſhall ſay to you in theſe reſpects, in behalf of the United States, and alſo when they ſhall aſſure you of the ſincerity

cerity of our wiſhes for the welfare of the French Republic.

Given under my hand, and the great ſeal of the United States of America, at Philadelphia, the 13th day of July, in the year 1797, and of the independence of theſe States the twenty-ſecond.

JOHN ADAMS.

By the Preſident of the United States,
TIMOTHY PICKERING, Secretary of State.

Full Powers to Meſſrs. Pinckney, Marſhall, and Gerry, Envoys to France.

John Adams, Preſident of the United States of America, to all whom theſe Preſents ſhall concern, greeting:

KNOW ye, That, for the purpoſe of terminating all differences between the United States of America and the French Republic, and of reſtoring and confirming perfect harmony and good underſtanding, and re-eſtabliſhing a commercial and friendly intercourſe between them, and repoſing eſpecial truſt and confidence in the integrity, prudence, and abilities of Charles Coteſworth Pinckney, John Marſhall, and Elbridge Gerry, citizens of the ſaid United States, I have nominated, and by and with the advice and conſent of the Senate, appointed the ſaid Charles Coteſworth Pinckney, John Marſhall, and Elbridge Gerry, jointly and ſeverally, Envoys Extraordinary and Miniſters Plenipotentiary of the United States to the French Republic, hereby giving and granting to them, and any and each of them, full power and authority, and alſo a general and ſpecial command, for and in the name of the United States, to meet and confer with the Miniſters, Commiſſioners, or Deputies of the French Republic, being furniſhed with the like full powers, whether ſeparately or jointly, and with them to treat, conſult, and negotiate, of and concerning all claims, and all matters and cauſes of difference, ſubſiſting between the United States and the French Republic, for the purpoſe of ſatisfying and terminating the ſame in a juſt and equitable

equitable manner; and alſo of and concerning the general commerce between the United States and France, and all other the dominions of the French Republic; and to conclude and ſign a treaty or treaties, convention or conventions, touching the premiſes; tranſmitting the ſame to the Preſident of the United States of America for his final ratification, by and with the advice and conſent of the Senate of the United States, if ſuch advice and conſent ſhall be given.

In teſtimony whereof, I have cauſed the ſeal of the United States to be hereunto affixed.

Given under my hand at the city of Philadelphia, the 22d day of June, in the year of our Lord 1797, and of the independence of the United States of America the 21ſt.

JOHN ADAMS.

By the Preſident of the United States,
TIMOTHY PICKERING, Secretary of State.

Department of State, April 3, 1798.

The names deſignated by the letters W. X. Y. Z. in the following copies of letters from the Envoys of the United States to the French Republic, are, in the originals, written at full length, in ciphers. For the ſame reaſon that ſingle letters are thus taken to deſignate certain perſons named in the letters, other words deſcriptive of them are omitted.

TIMOTHY PICKERING.

(No. I.)

Dear Sir, *Paris, Oct. 22, 1797.*

ALL of us having arrived at Paris on the evening of the 4th inſtant, on the next day we verbally and unofficially informed the Miniſter of Foreign Affairs therewith, and deſired to know when he would be at leiſure to receive one of our Secretaries with the official notification. He appointed the next day at two o'clock: when Major Rutledge waited upon him with the following letter:

Citizen

Citizen Miniſter,

The United States of America being deſirous of terminating all differences between them and the French Republic, and of reſtoring that harmony and good underſtanding, and that commercial and friendly intercourſe, which from the common cement of their political connexion, until lately, have ſo happily ſubſiſted, the Preſident has nominated, and by and with the advice of the Senate, has appointed us, the underſigned, jointly and ſeverally, Envoys Extraordinary and Miniſters Plenipotentiary to the French Republic, for the purpoſe of accompliſhing theſe great objects. In purſuance of ſuch nomination and appointment, and with ſuch view, having come to Paris, we wiſh, Citizen Miniſter, to wait on you at any hour you will be pleaſed to appoint, to preſent the copy of our letters of credence; and whilſt we evince our ſincere and ardent deſire for the ſpeedy reſtoration of friendſhip and harmony between the two Republics, we flatter ourſelves with your concurrence in the accompliſhment of this deſirable event. We requeſt you will accept the aſſurance of our perfect eſteem and conſideration.

Paris, Oct. 6th, in the 21ſt year of
American independence.

(Signed) CHARLES COTESWORTH PINCKNEY.
JOHN MARSHALL.
ELBRIDGE GERRY.

To this letter the Miniſter gave a verbal anſwer, that he would ſee us the day after the morrow (the 8th) at one o'clock. Accordingly at that hour and day we waited on the Miniſter at his houſe, where his office is held, when, being informed he was not at home, the Secretary General of the Department told Major Rutledge, that the Miniſter was obliged to wait on the Directory, and requeſted he would ſuſpend our viſit till three o'clock; at which hour we called. The Miniſter we found was then engaged with the Portugueſe Miniſter, who retired in about ten minutes, when we were introduced, and produced the copy of our letters of credence, which the Miniſter peruſed and kept. He informed us, "that the Directory had required him to make a report relative to the

the ſituation of the United States with regard to France, which he was then about, and which would be finiſhed in a few days, when he would let us know what ſteps were to follow." We aſked if cards of hoſpitality were in the mean time neceſſary? He ſaid they were, and that they ſhould be delivered to us; and he immediately rung for his ſecretary, and directed him to make them out. The converſation was carried on by him in French, and by us in our own language.

The next day the cards of hoſpitality were ſent to us and our ſecretaries, in a ſtyle ſuitable to our official character.

On Saturday the 14th, Major Mountflorence informed General Pinckney, that he had a converſation with Mr. Oſmond, the private and confidential ſecretary of the Miniſter of Foreign Affairs, who told him, that the Directory were greatly exaſperated at ſome parts of the Preſident's ſpeech at the opening of the laſt ſeſſion of Congreſs, and would require an explanation of them from us. The particular parts were not mentioned. In another converſation on the ſame day, the Secretary informed the Major, that the Miniſter had told him it was probable we ſhould not have a public audience of the Directory till ſuch time as our negotiation was finiſhed; that probably perſons might be appointed to treat with us; but they would report to him, and he would have the direction of the negotiation. The Major did not conceal from Mr. Oſmond his intention to communicate theſe converſations to us.

In the morning of October the 18th, Mr. W———, of the houſe of , called on General Pinckney, and informed him, that a Mr. X. who was in Paris, and whom the General had ſeen , was a gentleman of conſiderable credit and reputation , and that we might place great reliance on him.

In the evening of the ſame day, Mr. X. called on General Pinckney, and after having ſat ſome time , whiſpered him, that he had a meſſage from M. Talleyrand to communicate, when he was at leiſure. General Pinckney immediately withdrew with him into

another room; and when they were alone, Mr. X. ſaid, that he was charged with a buſineſs in which he was a novice; that he had been acquainted with M. Talleyrand , that he was ſure he had a great regard for [America] and its citizens; and was very deſirous that a reconciliation ſhould be brought about with France; that to effectuate that end, he was ready, if it was thought proper, to ſuggeſt a plan, confidentially, that M. Talleyrand expected would anſwer the purpoſe.

General Pinckney ſaid, he ſhould be glad to hear it. M. X. replied, that the Directory, and particularly two of the members of it, were exceedingly irritated at ſome paſſages in the Preſident's ſpeech, and deſired that they ſhould be ſoftened; and that this ſtep would be neceſſary previous to our reception: that beſides this, a ſum of money was required for the pocket of the Directory and Miniſters, which would be at the diſpoſal of M. Talleyrand: and that a loan would alſo be inſiſted on. M. X. ſaid, if we acceded to theſe meaſures, M. Talleyrand had no doubt that all our differences with France might be accommodated. On inquiry, M. X. could not point out the particular paſſages of the ſpeech that had given offence, nor the quantum of the loan; but mentioned that the douceur for the pocket was twelve hundred thouſand livres, about fifty thouſand pounds ſterling. General Pinckney told him, his colleagues and himſelf, from the time of their arrival here, had been treated with great ſlight and diſreſpect; that they earneſtly wiſhed for peace and reconciliation with France; and had been entruſted by their country with very great powers to obtain theſe ends, on honourable terms: that with regard to the propoſitions made, he could not even conſider of them before he had communicated them to his colleagues: that after he had done ſo, he ſhould hear from him. After a communication and conſultation had, it was agreed, that General Pinckney ſhould call on M. X. and requeſt him to make his propoſitions to us all; and for fear of miſtakes or miſapprehenſion, that he ſhould be requeſted to reduce the heads into writing. Accordingly, on the morn-

ing of October the 19th, General Pinckney called on M. X. who conſented to ſee his colleagues in the evening, and to reduce his propoſitions to writing. He ſaid, his communication was not immediately with M. Talleyrand, but through another gentleman, in whom M. Talleyrand had great confidence. This proved afterwards to be M. Y.

At ſix in the evening M. X. came and left with us the firſt ſet of propoſitions; which, tranſlated from the French, are as follows; "A perſon who poſſeſſes the confidence of the Directory, on what relates to the affairs of America, convinced of the mutual advantages which would reſult from the re eſtabliſhment of the good underſtanding between the two nations, purpoſes to employ all of his influence to obtain this object.—He will aſſiſt the commiſſioners of the United States in all the demands which they may have to make from the Government of France, inaſmuch as they may not be contradictory to thoſe which he propoſes himſelf to make, and of which the principal will be communicated confidentially. It is deſired that in the official communications there ſhould be given a ſoftening turn to a part of the Preſident's ſpeech to Congreſs, which has cauſed much irritation. It is feared that in not ſatisfying certain individuals in this reſpect, they may give way to all their reſentment. The nomination of commiſſioners will be conſented to on the ſame footing as they have been named in the treaty with England, to decide on the reclamations which individuals of America may make on the Government of France, or on French individuals. The payments, which, agreeably to the deciſions of the commiſſioners, ſhall fall to the ſhare of the French Government, are to be advanced by the American Government itſelf. It is deſired that the funds which by this means ſhall enter again into the American trade, ſhould be employed in new ſupplies for the French colonies. Engagements of this nature on the part of individuals reclaiming will always haſten, in all probability, the deciſions of the French commiſſioners; and perhaps it may be deſired that this clauſe ſhould make a part of the inſtructions

which the Government of the United States ſhould give to the commiſſioners they may chooſe.

"The French Government deſires, beſides, to obtain a loan from the United States; but ſo that that ſhould not give any jealouſy to the Engliſh Government, nor hurt the neutrality of the United States. This loan ſhall be maſked, by ſtipulating, that the Government of the United States conſents to make the advances for the payment of the debts contracted by the agents of the French Government with the citizens of the United States; and which are already acknowledged, and the payment ordered by the Directory, but without having been yet effectuated.—There ſhould be delivered a note to the amount of theſe debts. Probably this note may be accompanied by oſtenſible pieces, which will guarantee to the agents the reſponſibility of the United States, in caſe any umbrage ſhould cauſe an inquiry. There ſhall alſo be firſt taken from this loan certain ſums, for the purpoſe of making the cuſtomary diſtributions in diplomatic affairs."

The perſon of note mentioned in the minutes, who had the confidence of the Directory, he ſaid, before us all, was M. Talleyrand. The amount of the loan he could not aſcertain preciſely, but underſtood it would be according to our ability to pay.—The ſum which would be conſidered as proper, according to the diplomatic uſage, was about twelve hundred thouſand livres. He could not ſtate to us what parts of the Preſident's ſpeech were excepted to, but ſaid, he would inquire and inform us. He agreed to breakfaſt with Mr. Gerry the morning of 21ſt, in order to make ſuch explanations as we had then requeſted, or ſhould think proper to requeſt: but on the morning of the 20th, M. X. called, and ſaid, that M. Y. the confidential friend of M. Talleyrand, inſtead of communicating with us through M. X. would ſee us himſelf, and make the neceſſary explanations. We appointed to meet him the evening of the 20th, at ſeven o'clock, in General Marſhall's room. At ſeven, M. Y. and M. X. entered; and the firſt mentioned gentleman, being introduced to us as the confidential friend of M. Tal-

Talleyrand, immediately ſtated to us the favourable impreſſions of that gentleman towards our country, impreſſions which were made by the kindneſs and civilities he had perſonally received in America: that, impreſſed by his ſolicitude to repay theſe kindneſſes, he was willing to aid us in the preſent negotiation by his good offices with the Directory, who were, he ſaid, extremely irritated againſt the Government of the United States, on account of ſome parts of the Preſident's ſpeech, and who had neither acknowledged nor received us, and conſequently have not authorized M. Talleyrand to have any communications with us. The Miniſter, therefore, could not ſee us himſelf, but had authorized his friend M. Y. to communicate to us certain propoſitions, and to receive our anſwers to them—and to promiſe on his part, that if we would engage to conſider them as the baſis of the propoſed negotiation, he would intercede with the Directory to acknowledge us, and to give us a public audience. M. Y. ſtated to us explicitly and repeatedly, that he was clothed with no authority; that he was not a diplomatic character; that he was not . . . . . he was only the friend of M. Talleyrand, and truſted by him; that with regard to himſelf, he had . . . . . and that he earneſtly wiſhed well to the United States. He then took out of his pocket a French tranſlation of the Preſident's ſpeech, the parts of which objected to by the Directory were marked agreeably to our requeſt to M. X. and are contained in the exhibit A. Then he made us the ſecond ſet of propoſitions, which were dictated by him and written by M. X. in our preſence, and delivered to us, and which, tranſlated from the French, are as follows:

" There is demanded a formal diſavowal in writing, declaring that the ſpeech of the Citizen Preſident Barras did not contain any thing offenſive to the Government of the United States, nor any thing which deſerved the epithets contained in the whole paragraph: ſecondly, reparation is demanded for the article by which it ſhall be declared, that the decree of the Directory there mentioned

tioned did not contain any thing contrary to the treaty of 1778, and had none of thoſe fatal conſequences that the paragraph reproaches to it: thirdly, it is demanded, that there ſhould be an acknowledgment, in writing, of the depredations exerciſed on our trade by the Engliſh and French privateers: fourthly, the Government of France, faithful to the profeſſion of public faith which it has made not to intermeddle in the internal affairs of foreign governments with which it is at peace, would look upon this paragraph as an attack upon its loyalty, if this was intended by the Preſident.—It demands, in conſequence, a formal declaration, that it is not the Government of France nor its agents that this paragraph meant to deſignate. In conſideration of theſe reparations, the French Republic is diſpoſed to renew with the United States of America a treaty which ſhall place them reciprocally in the ſame ſtate that they were in 1778.

"By this new treaty, France ſhall be placed, with reſpect to the United States, exactly on the ſame footing as they ſtand with England, in virtue of the laſt treaty which has been concluded between them. A ſecret article of this new treaty would be a loan to be made by the United States to the French Republic; and once agreed upon the amount of the loan, it would be endeavoured to conſult the convenience of the United States with reſpect to the beſt method of preventing its publicity."

On reading the ſpeech, M. Y. dilated very much upon the keenneſs of the reſentment it had produced, and expatiated largely on the ſatisfaction he ſaid was indiſpenſably neceſſary as a preliminary to negotiation. "But," ſaid he, "Gentlemen, I will not diſguiſe from you, that, this ſatisfaction being made, the eſſential part of the treaty remains to be adjuſted: *Il faut de l'argent—il faut beaucoup d'argent:* "You muſt pay money, you muſt pay a great deal of money." He ſpoke much of the force, the honour, and the jealous republican pride of France; and repreſented to us ſtrongly the advantages which we ſhould derive from the neutrality thus to be purchaſed. He ſaid, that the receipt of the money might

might be ſo diſguiſed as to prevent its being conſidered as a breach of neutrality by England; and thus ſave us from being embroiled with that power. Concerning the twelve hundred thouſand livres little was ſaid; that being completely underſtood on all ſides to be required for the officers of Government, and therefore needing no further explanation. Theſe propoſitions, he ſaid, being conſidered as the admitted baſis of the propoſed treaty, M. Talleyrand truſted, that, by his influence with the Directory, he could prevail on the Government to receive us. We aſked, whether we were to conſider it as certain that, without a previous ſtipulation to the effect required, we were not to be received? He anſwered, that M. Talleyrand himſelf was not authorized to ſpeak to us the will of the Directory, and conſequently could not authorize him. The converſation continued till half after nine, when they left us, having engaged to breakfaſt with Mr. Gerry the next morning.

October 21ſt, M. X. came before nine o'clock; M.Y. did not come until ten; he had paſſed the morning with M. Talleyrand. After breakfaſt the ſubject was immediately reſumed. He repreſented to us that we were not yet acknowledged or received; that the Directory were ſo exaſperated againſt the United States, as to have come to a determination to demand from us, previous to our reception, thoſe diſavowals, reparations, and explanations, which were ſtated at large laſt evening. He ſaid, that M. Talleyrand and himſelf were extremely ſenſible of the pain we muſt feel in complying with this demand; but that the Directory would not diſpenſe with it: that therefore we muſt conſider it as the indiſpenſable preliminary to obtain our reception; unleſs we could find the means to change their determination in this particular: that if we ſatisfied the Directory in theſe particulars, a letter would be written to us, to demand the extent of our powers, and to know whether we were authorized to place them preciſely on the ſame footing with England?—whether, he ſaid, our full powers were really and ſubſtantially full powers? or, like thoſe of Lord Malmeſbury, only illuſory

ſory powers? That, if to this demand our anſwer ſhould be affirmative, then France would conſent that Commiſſioners ſhould be appointed to aſcertain the claims of the United States, in like manner as under our treaty with England; but from their juriſdiction muſt be withdrawn thoſe which were condemned for want of a *role d'equipage*; that being a point on which Merlin, while Miniſter of Juſtice, had written a treatiſe, and on which the Directory were decided. There would, however, be no objection to our complaining of theſe captures in the courſe of the negotiation; and if we could convince Merlin by our reaſoning, the Miniſter would himſelf be ſatisfied with our ſo doing. We required an explanation of that part of the converſation, in which M. Y. had hinted at our finding means to avert the demand concerning the Preſident's ſpeech. He anſwered, that he was not authorized to ſtate thoſe means, but that we muſt ſearch for them, and propoſe them ourſelves. If, however, we aſked his opinion as a private individual, and would receive it as coming from him, he would ſuggeſt to us the means which, in his opinion, would ſucceed. On being aſked to ſuggeſt the means, he anſwered, Money; that the Directory were jealous of its own honour, and of the honour of the nation; that it inſiſted on receiving from us the ſame reſpect with which we had treated the King; that this honour muſt be maintained in the manner before required, unleſs we ſubſtituted in the place of thoſe reparations ſomething perhaps more valuable, that was, money. He ſaid farther, that if we deſired him to point out the ſum which he believed would be ſatisfactory, he would do ſo. We requeſted him to proceed; and he ſaid, that there were thirty-two millions of florins of Dutch inſcriptions, worth ten ſhillings in the pound, which might be aſſigned to us at twenty ſhillings in the pound; and he proceeded to ſtate to us the certainty, that, after a peace, the Dutch Government would repay us the money; ſo that we ſhould ultimately loſe nothing; and the only operation of the meaſure would be an advance from us to France of thirty-two millions, on the credit of the Government of Holland.

We

We aſked him whether the fifty thouſand pounds ſterling as a douceur to the Directory, muſt be in addition to this ſum? He anſwered us in the affirmative. We told him, that on the ſubject of the treaty, we had no heſitation in ſaying that our powers were ample: that on the other points propoſed to us we would retire into another room, and return in a few minutes with our anſwer.

We committed immediately to writing the anſwer we propoſed, in the following words: "Our powers, reſpecting a treaty, are ample; but the propoſition of a loan in the form of Dutch inſcriptions, or in any other form, is not within the limits of our inſtructions; upon this point, therefore, the Government muſt be conſulted: One of the American Miniſters will, for the purpoſe, forthwith embark for America; provided the Directory will ſuſpend all farther captures on American veſſels, and will ſuſpend proceedings on thoſe already captured, as well where they have been already condemned, as where the deciſions have not yet been rendered; and that where ſales have been made, but the money not yet received by the captors, it ſhall not be paid until the preliminary queſtions, propoſed to the Miniſters of the United States, be diſcuſſed and decided:" which was read as a verbal anſwer; and we told them they might copy it if they pleaſed. M. Y. refuſed to do ſo; his diſappointment was apparent; he ſaid we treated the money part of the propoſition as if it had proceeded from the Directory; whereas, in fact, it did not proceed even from the Miniſter, but was only a ſuggeſtion from himſelf, as a ſubſtitute to be propoſed by us, in order to avoid the painful acknowledgment that the Directory had determined to demand of us. It was told him, that we underſtood that matter perfectly; that we knew the propoſition was in form to be ours; but that it came ſubſtantially from the Miniſter. We aſked what had led to our preſent converſation? And General Pinckney then repeated the firſt communication from M. X. (to the whole of which that gentleman aſſented) and we obſerved that thoſe gentlemen had brought no teſtimonials of their ſpeaking any thing from authority; but that relying on the fair characters they bore, we had believed

them when they ſaid they were from the Miniſter, and had converſed with them in like manner, as if we were converſing with M. Talleyrand himſelf: and that we could not conſider any ſuggeſtion M. Y. had made, as not having been previouſly approved of; but yet if he did not chooſe to take a memorandum in writing of our anſwer, we had no wiſh that he ſhould do ſo: and farther, if he choſe to give the anſwer to his propoſition the form of a propoſition from ourſelves, we could only tell him, that we had no other propoſition to make, relative to any advance of money on our part; that America had ſuſtained deep and heavy loſſes by French depredations on our commerce, and that France has alledged ſo [many] complaints againſt the United States, that on thoſe ſubjects we came fully prepared, and were not a little ſurpriſed to find France unwilling to hear us; and making demands upon us which could never have been ſuſpected by our Government, and which had the appearance of our being the aggreſſing party. M. Y. expreſſed himſelf vehemently on the reſentment of France; and complained, that inſtead of our propoſing ſome ſubſtitute for the reparations demanded of us, we were ſtipulating certain conditions to be performed by the Directory itſelf; that he could not take charge of ſuch propoſitions; and that the Directory would perſiſt in its demand of thoſe reparations which he had at firſt ſtated. We anſwered, that we could not help it; it was for the Directory to determine what courſe its own honour and the intereſts of France required it to purſue: it was for us to guard the intereſts and honour of our country. M. Y. obſerved, that we had taken no notice of the firſt propoſition, which was, to know whether we were ready to make the diſavowal, reparations and explanations concerning the Preſident's ſpeech. We told him that we ſuppoſed it to be impoſſible, that either he or the Miniſter could imagine that ſuch a propoſition could require an anſwer: that we did not underſtand it as being ſeriouſly expected; but merely as introductory to the ſubjects of real conſideration.

He ſpoke of the reſpect which the Directory required, and repeated, that it would exact as much as was paid to

the ancient kings. We anſwered, that America had demonſtrated to the world, and eſpecially to France, a much greater reſpect for her preſent Government than for her former Monarchy; and that there was no evidence of this diſpoſition which ought to be required, that we were not ready to give. He ſaid that we ſhould certainly not be received; and ſeemed to ſhudder at the conſequences. We told him that America had made every poſſible effort to remain on friendly terms with France; that ſhe was ſtill making them: that if France would not hear us, but would make war on the United States, nothing remained for us, but to regret the unavoidable neceſſity of defending ourſelves.

The ſubject of our powers was again mentioned; and we told him, that America was ſolicitous to have no more miſunderſtandings with any Republic, but eſpecially with France; that ſhe wiſhed a permanent treaty, and was ſenſible, that no treaty could be permanent, which did not comport with the intereſts of the parties; and therefore that he might be aſſured, that our powers were ſuch as authoriſed us to place France on an equal ground with England, in any reſpects in which an inequality might be ſuppoſed to exiſt at preſent between them, to the diſadvantage of France. The ſubject of the rôle d'equipage was alſo mentioned; and we aſked what aſſurance we could have if France inſiſted on the right of adding to the ſtipulations of our treaty, or of altering them by municipal regulations, that any future treaty we could make ſhould be obſerved. M. Y. ſaid, that he did not aſſert the principle of changing treaties by municipal regulations: but that the Directory conſidered its regulation concerning the rôle d'equipage as comporting with the treaty. We obſerved to him, that none of our veſſels had what the French termed a rôle d'equipage, and that if we were to ſurrender all the property which had been taken from our citizens in caſes where their veſſels were not furniſhed with ſuch a rôle, the government would be reſponſible to its citizens for the property ſo ſurrendered; ſince it would be impoſſible to undertake to

aſſert that there was any plauſibility in the allegation, that our treaty required a rôle d'equipage.

The ſubject of diſavowals, &c. concerning the Preſident's ſpeech was again mentioned; and it was obſerved, that the conſtitution of the United States authoriſed and required our Preſident to communicate his ideas on the affairs of the nation; that in obedience to the conſtitution, he had done ſo; that we had not power to confirm or invalidate any part of the Preſident's ſpeech; that ſuch an attempt could produce no other effect than to make us ridiculous to the Government and to the citizens at large of the United States; and to produce on the part of the Preſident, an immediate diſavowal and recal of us as his agents; that independant of this, all America was acquainted with the facts ſtated by the Preſident; and our diſavowing them would not change the public ſentiment concerning them.

We parted with mutual profeſſions of perſonal reſpect, and with full indications, on the part of M. Y. of his expectation that we ſhould immediately receive the threatened letter.

The nature of the above communication will evince the neceſſity of ſecrecy: and we have promiſed Meſſrs. X. and Y. that their names ſhall in no event be made public.

We have the honour to be, with great reſpect and eſteem,

Your moſt obedient humble ſervants,

CHARLES COTESWORTH PINCKNEY,
J. MARSHALL.
E. GERRY.

P. S. October 27, 1797.—The definitive articles of peace are ſigned between the French Republic and the Emperor; the particulars you will find in the public prints. The Portugueſe Miniſter is ordered to quit France, as the treaty with Portugal has not been yet ratified by the Queen. The treaty itſelf is declared by the Directory to be void. Since our arrival at Paris, the Tribunal of Caſſation has rejected Captain Scot's petition, complaining of the condemnation of his veſſel by the

Civil Tribunal, for the want of a rôle d'equipage. Mr. ——in behalf of the owners of the American veſſels, who have appealed in the laſt reſort to the Tribunal of Caſſation, informs, that notwithſtanding all the arguments—— ————to put off the hearing of the Roſanna, as a diplomatic caſe till the iſſue of our negotiation is known, that caſe is ſet down for hearing, and will come on the 29th or 30th inſtant. The ſame——alſo ſays, that it is obvious, that the Tribunal have received inſtructions from the officers of Government to haſten their deciſions, and that it was hardly worth while to———for all our petitions in Caſſation would be rejected. Our advocates—— decline giving their ſentiments on this ſubject——under an apprehenſion of committing themſelves.

COLONEL PICKERING,
Secretary to the United States.

Paragraph of the Preſident's ſpeech referred to in letter No. 1, under the title of exhibit a.

I.

With this conduct of the French Government it will be proper to take into view the public audience given to the late Miniſter of the United States, on his taking leave of the Executive Directory. The ſpeech of the Preſident diſcloſes ſentiments more alarming than the refuſal of a Miniſter, becauſe more dangerous to our independence and union, and at the ſame time ſtudiouſly marked with indignities againſt the Government of the United States. It evinces a diſpoſition to ſeparate the people of the United States from the Government; to perſuade them that they have different affections, principles, and intereſts from thoſe of their fellow citizens, whom they themſelves have choſen to manage their common concerns; and thus to produce diviſions fatal to our peace. Such attempts ought to be repelled with a deciſion which ſhall convince France and the world, that we are not a degra-

ded people, humiliated under a colonial ſenſe of fear, fitted to be the miſerable inſtruments of foreign influence, and regardleſs of national honour, character, and intereſt.

II.

The diplomatic intercourſe between France and the United States being at preſent ſuſpended, the Government has no means of obtaining official information from that country; nevertheleſs, there is reaſon to believe that the Executive Directory paſſed a decree, on the 2d of March laſt, contravening in part the Treaty of Amity and Commerce of 1778, injurious to our lawful commerce, and endangering the lives of our citizens. A copy of this decree will be laid before you.

III.

While we are endeavouring to adjuſt our differences with France, by amicable negotiation, the progreſs of the war in Enrope, the depredations on our commerce, the perſonal injuries to our citizens, and the general complexion of affairs render it my indiſpenſable duty to recommend to your conſideration effectual meaſures of defence.

IV.

It is impoſſible to conceal from ourſelves or the world, what has been before obſerved, that endeavours have been employed to foſter and eſtabliſh a diviſion between the Government and the People of the United States. To inveſtigate the cauſes which have encouraged this attempt is not neceſſary. But to repel, by decided and united councils, inſiunations ſo derogatory to the honour, and aggreſſions ſo dangerous to the Conſtitution, union and even independence of the nation, is an indiſpenſable duty.

(No. 2.)

Dear Sir, *Paris, Nov. 8th,* 1797

We now encloſe you in thirty-ſix quarto pages of cy-

pher, and in eight pages of cyphered exhibits, the ſequel to the details commenced in No. 1. dated the 22d of laſt month, and have the honour to be,

Your moſt obedient humble Servants,

CHARLES COTTESWORTH PINCKNEY.
J. MARSHALL.
E. GERRY.

Colonel PICKERING.

October 27th, 1797.

About twelve we received another viſit from M. X. He immediately mentioned the great event announced in the papers, and then ſaid, that ſome propoſals from us had been expected on the ſubject on which we had before converſed; that the Directory were becoming impatient, and would take a decided courſe with regard to America, if we could not ſoften them. We anſwered, that on that ſubject we had already ſpoken explicitly, and had nothing farther to add. He mentioned the change in the ſtate of things which had been produced by the peace with the Emperor, as warranting an expectation of a change in our ſyſtem; to which we only replied, that this event had been expected by us, and would not in any degree affect our conduct. M. X. urged, that the Directory had, ſince this peace, taken a higher and more decided tone with reſpect to us and all other neutral nations than had been before taken; that it had been determined that all nations ſhould aid them, or be conſidered and treated as their enemies. We anſwered, that ſuch an effect had already been contemplated by us as probable, and had not been overlooked, when we gave to this propoſition our decided anſwer; and further, that we had no powers to negotiate for a loan of money; that our Government had not contemplated ſuch a circumſtance in any degree whatever; that if we ſhould ſtipulate a loan, it ſhould be a perfectly void thing, and would only deceive France, and expoſe ourſelves. M. X. again expatiated on the power and violence of France: he urged the danger of our ſituation, and preſſed the policy of ſoften-

ing them, and of thereby obtaining time. The preſent men, he ſaid, would very probably not continue long in power; and it would be very unfortunate, if thoſe who might ſucceed, with better diſpoſitions towards us, ſhould find the two nations in actual war. We anſwered, that if war ſhould be made on us by France it would be ſo obviouſly forced on us, that on a change of men, peace might be made with as much facility as the preſent differences could be accommodated: we added, that all America deprecated a war with France; but that our preſent ſituation was more ruinous to us than a declared war would be; that at preſent our commerce was plundered unprotected; but that if war was declared, we ſhould ſeek the means of protection. M. X. ſaid, he hoped we ſhould not form a connection with Britain; and we anſwered, that we hoped ſo too; that we had all been engaged in our revolution war, and felt its injuries; that it had made the deepeſt impreſſion on us; but that if France ſhould attack us, we muſt ſeek the beſt means of ſelf-defence. M. X. again returned to the ſubject of money: ſaid he, gentleman, you do not ſpeak to the point—it is money: it is expected that you will offer money—We ſaid we had ſpoken to that point very explicitly: we had given an anſwer. No, ſaid he, you have not; what is your anſwer? We replied, it is no; no; not a ſixpence. He again called our attention to the dangers which threatened our country, and aſked, if it would not be prudent, though we might not make a loan to the nation, to intereſt an influential friend in our favour. He ſaid, we ought to conſider what men we had to treat with; that they diſregarded the juſtice of our claims, and the reaſoning with which we might ſupport them; that they diſregarded their own Colonies; and conſidered themſelves as perfectly invulnerable with reſpect to us; that we could only acquire an intereſt among them by a judicious application of money; and it was for us to conſider, whether the ſituation of our country did not require that theſe means ſhould be reſorted to. We obſerved, that the conduct of the French Government was ſuch as to leave us much reaſon to fear, that, ſhould we give the

money, it would effect no good purpoſe, and would not produce a juſt mode of thinking with reſpect to us. He ſaid, that when we employed a lawyer we gave him a fee, without knowing whether the cauſe could be gained or not; but it was neceſſary to have one, and we paid for his ſervices, whether thoſe ſervices were ſucceſsful or not: ſo in the preſent ſtate of things, the money muſt be advanced for the good offices the individuals were to render, whatever might be the effect of thoſe good offices. We told him there was no parallel in the caſes; that a lawyer, not being to render the adjudgement, could not command ſucceſs: he could only endeavour to obtain it; and conſequently, we could only pay him for his endeavours: but the Directory could decide on the iſſue of our negotiation. It had only to order, that no more American veſſels ſhould be ſeized, and to direct thoſe now in cuſtody to be reſtored, and there could be no oppoſition to the order. He ſaid, that all the Members of the Directory were not diſpoſed to receive our money: that Merlin, for inſtance, was paid from another quarter, and would touch no part of the douceur which was to come from us. We replied, that we underſtood that Merlin was paid by the owners of the privateers; and he nodded an aſſent to the fact. He proceeded to preſs this ſubject with vaſt perſeverence. He told us that we paid money to obtain peace with the Algerines and with the Indians; and that it was doing no more to pay France for Peace. To this it was anſwered, that when our Government commenced a treaty with either Algiers or the Indian Tribes, it was underſtood that money was to form the baſis of the treaty, and was its eſſential article; that the whole nation knew it, and was prepared to expect it as a thing of courſe; but, that in treating with France, our Government had ſuppoſed that the propoſition, ſuch as he ſpoke of, would, if made by us, give mortal offence.

He aſked, if our Government did not know, that nothing was go be obtained here without money? We replied, that our Government had not even ſuſpected ſuch a ſtate of things.—He appeared ſurprized at it, and ſaid, there was not an American in Paris, who

could not have given that information. We told him that the letters of our miniſter had indicated a very contrary temper in the Government of France; and had repreſented it as acting entirely upon principle, and as feeling a very pure and diſintereſted affection for America. He looked ſomewhat ſurprized, and ſaid briſkly to general Pinckney; Well, Sir, you have been a long time in France and in Holland—what do you think of it? General Pinckney anſwered, that he conſidered M. X. and M. Y. as men of truth, and of conſequence, he could have but one opinion on the ſubject.—He ſtated that Hamburgh and other States of Europe were obliged to buy a peace; and that it would be equally for our intereſt to do ſo. Once more he ſpoke on the danger of a breach with France, and of her power, which nothing could reſiſt. We told him, that it would be in vain for us to deny her power, or the ſolicitude we felt to avoid a conteſt with it; that no Nation eſtimated her power more highly than America, or wiſhed more to be on amicable terms with her; but that one object was ſtill dearer to us than the friendſhip of France---which was our National Independance: that America had taken a neutral ſtation; ſhe had a right to take it; no Nation had a right to force us out of it; that to lend a Sum of money to a belligerent Power, abounding in every thing requiſite for war but money, was to relinquiſh our neutrality, and take part in the war; to lend this money under the laſh and coercion of France, was to relinquiſh the Government of ourſelves, and to ſubmit to a foreign Government impoſed upon us by force; that we would make at leaſt one manly ſtruggle before we thus ſurrendered our National Independence; that our caſe was different from that of one of the minor Nations of Europe; they were unable to maintain their Independence, and did not expect to do ſo: America was a great, and, ſo far as concerned her Self-defence, a powerful Nation; ſhe was able to maintain her Independance; and muſt deſerve to loſe it, if ſhe permitted it to be wreſted from her; that France and

Britain had been at war for near fifty years of the laſt hundred, and might probably be at war for fifty years of the century to come; that America had no motives which could induce her to involve herſelf in thoſe wars; and that, if ſhe now preſerved her neutrality and her Independance, it was moſt probable that ſhe would not in future be afraid, as ſhe had been for four years paſt; but if ſhe now ſurrendered her rights of Self-government to France, or permitted them to be torn from her, ſhe could not expect to recover them, or to remain neutral in any future war. He ſaid that France had lent us money during our Revolution war, and only required that we ſhould now exhibit the ſame friendſhip for her. We anſwered, that the cases were very different: that America ſolicited a Loan from France, and left her at liberty to grant or refuſe it; but that France demanded it from America, and left us no choice on the ſubject. We alſo told him there was another difference in the caſes; that the money was lent by France for great National and French objects; it was lent to maim a Rival, and an enemy whom ſhe hated; that the money, if lent by America, would not be for any American objects, but to enable France to extend ſtill further her conqueſts. The converſation continued for nearly two hours; and the public and private advance of money was preſſed and repreſſed in a variety of forms. At length M. X. ſaid that he did not blame us; that our determination was certainly proper, if we could keep it; but he ſhowed decidedly his opinion to be that we could not keep it. He ſaid that he would communicate, as nearly as he could, our converſation to the Miniſter, or to M. Y. to be given by him to the Miniſter; we are not certain which. We then ſeparated. On the 22d of October, M. Z. a French Gentleman of reſpectable character, informed Mr. Gerry, that M. Talleyrand, Miniſter of Foreign Relations, who profeſſed to be well diſpoſed towards the United States, had expected to have ſeen the American Miniſters frequently in their private capacities; and to have conferred with them individually on the objects of their

miſſion; and had authorized M. Z. to make this communication to M. Gerry. The latter ſent for his Colleagues, and a conference was held with M. Z. on the ſubject, in which Gen. Pinckney and Gen. Marſhall expreſſed their opinions, that not being acquainted with M. Talleyrand, they could not with propriety call on him; but that, according to the cuſtom of France, he might expect this of Mr. Gerry, from a previous acquaintance in America. This Mr. Gerry reluctantly complied with on the 23d, and with M. Z. called on M. Talleyrand, who, not being then at his office, appointed the 28th for the interview. After the firſt introduction, M. Talleyrand began the conference. He ſaid, that the Directory had paſſed an Arrête, which he offered for peruſal, in which they had demanded of the Envoys an explanation of ſome parts, and a reparation for others, of the Preſident's Speech to Congreſs of the 16th of May laſt: he was ſenſible, he ſaid, that difficulties would exiſt on the part of the Envoys, relative to the demand: but that by their offering money, he thought he could prevent the effect of the Arrête. M. Z. at the requeſt of Mr. Gerry, having ſtated that the Envoys have no ſuch powers; M. Talleyrand replied, they can in ſuch caſe take a power on themſelves; and propoſed that they ſhould make a Loan. Mr. Gerry then addreſſed M. Talleyrand diſtinctly in Engliſh, which he ſaid be underſtood, and ſtated, that the uneaſineſs of the Directory reſulting from the Preſident's Speech was a ſubject unconnected with the objects of the miſſion; that M. Barras, in his Speech to Mr. Munroe, on his recal, had expreſſed himſelf in a manner diſpleaſing to the Government and Citizens of the United States; that the Preſident, as the Envoys conceived, had made ſuch obſervations on M. Barras's Speech as were neceſſary to vindicate the honour of the United States; that this was not conſidered by our Government as a ſubject of diſpute between the two Nations; that having no inſtructions reſpecting it, we could not make any explanations, or reparations relating to it; and that M. Tal-

leyrand himſelf was ſufficiently acquainted with the Conſtitution of the United States to be convinced of the truth of theſe obſervations.

Mr. Gerry further ſtated, that the powers of the Envoys, as they conceived, were adequate to the diſcuſſion and adjuſtment of all points of real difference between the two Nations; that they could alter and amend the Treaty; or, if neceſſary, form a new one; that the United States were anxiouſly deſirous of removing all cauſes of complaint between themſelves and France, and of renewing their former friendſhip and intercourſe on terms which would be mutually honourable and beneficial to the two Nations, but not on any other terms; that as to a Loan, we had no powers whatever to make one; that if we were to attempt it we ſhould deceive himſelf and the Directory likewiſe, which as men of honour we could not do; but that we could send one of our number for inſtructions on this propoſition, if deemed expedient, provided that the other objects of the Negotiation could be diſcuſſed and adjuſted; that as he had expreſſed a deſire to confer with the envoys individually, it was the wiſh of Mr. Gerry that ſuch a conference ſhould take place, and their opinions thus be aſcertained, which he conceived correſponded with his own in the particulars mentioned. M. Talleyrand, in anſwer, ſaid, he ſhould be glad to confer with the other envoys individually, but that this matter about the money muſt be ſettled directly, without ſending to America; that he would not communicate the arrête for a week; and that if we could adjuſt the difficulty reſpecting the ſpeech, an application would nevertheleſs go to the United States for a loan. A courier arrived at this moment from Italy, and M. Talleyrand appearing impatient to read the letters, Mr. Gerry took leave of him immediately. He followed to the door, and deſired M. Z. to repeat to Mr. Gerry whathe, M. Talleyrand, had ſaid to him. Mr. Gerry then returned to his quarters with M. Z. took down the particulars of this interview, as before ſtated, ſent for Generals Pinckney and Mar-

ſhall, and read it to them in the preſence of M. Z. who confirmed it. Generals Pinckney and Marſhall then deſired M. Z. to inform M. Talleyrand that they had nothing to add to this conference, and did not wiſh that the arrête might be delayed on their account.

ANSWER OF M. BARRAS,

Preſident of the Executive Directory, to the Speech of Mr. Monroe, on taking leave, to which the Speech of the Preſident of the United States refers.

M. le Miniſtre Plénipotentiaire des Etats-Unis d'Amérique,

En préſentant aujourd'hui au Directoire Exécutif vos Lettres de rappel, vous donnez à l'Europe un ſpectacle bien étrange.

La France, riche de ſa liberté, entourée du cortège de ſes victoires, forte de l'eſtime de ſes Alliés, ne s'abbaiſſera pas à calculer les ſuites de la condeſcendance du Gouvernement Américain pour les ſuggeſtions de ſes anciens tyrans. La République Françaiſe eſpère, au ſurplus, que les ſucceſſeurs de Colombus, Ramhiph, (*) & Penn, toujours fiers de leur liberté, n'oublieront jamais qu'ils la doivent à

Mr. Miniſter Plenipotentiary of the United States of America,

By preſenting to-day your letters of recal to the Executive Directory, you give to Europe a very ſtrange ſpectacle.

France, rich in her liberty, ſurrounded by a crowd of victories, ſtrong in the eſteem of her allies, will not abaſe herſelf by calculating the conſequences of the condeſcenſion of the American Government to the ſuggeſtions of her former tyrants —Moreover, the French Republic hopes, that the ſucceſſors of Columbus, Ramhiph, * and Penn, always proud of their liberty, will never forget

(*) Probably intended for Raleigh.

la France. Ils péſeront dans leur ſageſſe la magnanime bienveillance du Peuple Français, avec les aſtucieuſes careſſes de quelques perfides qui méditent de le ramener à ſon antique eſclavage. Aſſurez, M. le Miniſtre, le bon Peuple Américain, que comme lui, nous adorons la liberté; que toujours il aura notre eſtime & qu'il trouvera dans le Peuple Français, la généroſité Républicaine qui ſait accorder la paix, comme elle ſait faire reſpecter ſa ſouveraineté.

Quant à vous, M. le Miniſtre Plénipotentiaire, vous avez combattu pour les principes, vous avez connu les vrais intérêts de votre patrie,—partez avec nos regrets. Nous rendons en vous un repréſentant à l'Amérique, & nous retenons le ſouvenir du Citoyen dont les qualités perſonnelles honoraient ce titre.

that they owe it to France. They will weigh in their wiſdom the magnanimous benevolence of the French People with the crafty careſſes of certain perfidious perſons, who meditate bringing them back to their former ſlavery; aſſure the good American People, Sir, that like them, we adore liberty; that they will always have our eſteem, and that they will find in the French People Republican generoſity, which knows how to grant peace as it does to cauſe its ſovereignty to be reſpected.

As to you, Mr. Miniſter Plenipotentiary, you have combated for principles, you have known the true intereſts of your country. Depart with our regret. In you we give up a repreſentative to America, and retain the remembrance of the citizen whoſe perſonal qualities did honour to that title.

October 29th.

M. X. again called on us. He ſaid M. Talleyrand was extremely anxious to be of ſervice to us, and had requeſted that one more effort ſhould be made to induce us to enable him to be ſo. A great deal of the

ſame converſation which had paſſed at our former interviews was repeated. The power and the haughtineſs of France was again diſplayed to us. We were told, that *the Deſtruction of England was inevitable:* and that the wealth and arts of that nation would naturally paſs over to America, if that event ſhould find us in peace. To this obſervation we replied, that France would probably forbid America to receive them, in like manner as ſhe had forbid Switzerland to permit the reſidence in its country of a Britiſh Miniſter. We told him alſo, that we were ſenſible of the value of peace, and therefore ſought it unremittingly, but that it was real peace we ſought for, and real peace only which could be deſirable.

The ſum of his propoſition was, that if we would pay, by way of fees (that was his expreſſion) the ſum of money demanded for private uſe, the Directory would not receive us; but would permit us to remain in Paris as we now were; and we ſhould be received by M. Talleyrand, until one of us could go to America and conſult our Government on the ſubject of the loan. Theſe were the circumſtances, he ſaid, under which the Miniſter of Portugal had treated. We aſked him if, in the mean time, the Directory would order the American property not yet paſſed into the hands of the privateerſmen, to be reſtored. He ſaid explicitly that they would not. We aſked him, whether they would ſuſpend farther depredations on our commerce? He ſaid they would not: but M. Talleyrand obſerved, that on this ſubject we could not ſuſtain much additional injury, becauſe the winter ſeaſon was approaching, when few additional captures would be made. We told him that France had taken violently from America more than fifty millions of dollars, and treated us in every reſpect as enemies, in return of the friendſhip we had manifeſted for her; that we had come to endeavour to reſtore harmony to the two nations, and to obtain compenſation for the injuries our countrymen ſuſtained, and that in lieu of this compenſation, we were told that if we would pay twelve hundred thouſand

livres, we might be permitted to remain in Paris; which would only give us the benefit of ſeeing the plays and operas of Paris for the winter, that we might have time to aſk from our country to exhauſt her reſources for France, whoſe depredations would be continued. He again ſtated, that by this procedure we ſhould ſuſpend a war; and that, perhaps, in five or ſix months, power might change hands.

We told him that what we wiſhed to ſee in France was a temper ſincerely friendly to the United States, and really diſpoſed to do us juſtice; that if we could perceive this, we might not ſo much regard a little money, ſuch as he ſtated to be uſual, although we ſhould hazard ourſelves by giving it; but that we ſaw only evidences of the moſt extreme hoſtility towards us: war was made upon us ſo far as France could make it in the preſent ſtate of things; and it was not even propoſed, that on receiving our money this war ſhould ceaſe: we had no reaſon to believe that a poſſible benefit could reſult from it; and we deſired him to ſay, that we would not give a ſhilling, unleſs American property unjuſtly captured was previouſly reſtored, and farther hoſtilities ſuſpended: and that unleſs this was done, we did not conceive that we could even conſult our Government concerning a loan; that if the Directory would receive us and commence negotiations, and any thing occurred which rendered a conſultation of the Government neceſſary, one of us would return to America for that purpoſe. He ſaid, that without this money we ſhould be obliged to quit Paris; and that we ought to conſider the conſequences: the property of the Americans would be confiſcated, and their veſſels in port embargoed. We told him that unleſs there was a hope of a reconciliation, theſe evils could not be prevented by us; and the little delay we might obtain would only increaſe them; that our miſſion had induced many of our countrymen to truſt their veſſels into the ports of France, and that if we remained in Paris, that very circumſtance would increaſe the number; and conſequently the injury which our country-

men would ſuſtain, if France could permit herſelf ſo to violate her own engagements and the laws of nations. He expreſſed a wiſh, that M. Y. ſhould ſee us once more. We told him that a viſit from M. Y. as a private gentleman, would always be agreeable to us; but if he came only with the expectation that we ſhould ſtipulate advances of money, without previouſly eſtabliſhing a ſolid and permanent reconciliation, he might ſave himſelf the trouble of the application, becauſe it was a ſubject we had conſidered maturely, and on which we were immoveable. He parted with us, ſaying, if that was the caſe it would not be worth while for M. Y. to come. In the evening, while General Pinckney and General Marſhall were abſent, M. Y. and M. X. called, and were invited by Mr. Gerry to breakfaſt with us the next morning.

October 30.

Immediately after breakfaſt the ſubject was reſumed. M. Y. ſpoke without interruption for near an hour. He ſaid that he was deſirous of making a laſt effort to ſerve us, by propoſing ſomething which might accommodate the differences between the two nations; that what he was now about to mention had not by any means the approbation of the Directory; nor could M. Talleyrand undertake farther than to make from us the propoſition to the Directory, and uſe his influence for its ſucceſs; that laſt week M. Talleyrand could not have ventured to have offered ſuch propoſitions: but that his ſituation had been very materially changed by the peace with the Emperor. By that peace he had acquired in an high degree the confidence of the Directory, and now poſſeſſed great influence with that body; that he was alſo cloſely connected with Buonaparte and the Generals of the army in Italy; and was to be conſidered as firmly fixed in his poſt, at leaſt for five or ſix months: that under theſe circumſtances he could undertake to offer, in our behalf, propoſitions which before this increaſe of influence he could not have hazarded. M. Y. then called our at-

tention to our own ſituation, and to the force France was capable of bringing to bear upon us. He ſaid that we were the beſt judges of our capacity to reſiſt, ſo far as depended on our own reſources, and ought not to deceive ourſelves on ſo intereſting a ſubject. The fate of Venice was one which might befal the United States. But he proceeded to obſerve, it was probable we might rely on forming a league with England. If we had ſuch a reliance, it would fail us. The ſituation of England was ſuch, as to compel Pitt to make peace on the terms of France. A variety of cauſes were in operation which made ſuch an effect abſolutely certain. To ſay nothing of the oppoſition in England to the Miniſter and to the war, an oppoſition which the fears of the nation would increaſe; to ſay nothing of a war againſt England which was preparing in the North; an army of one hundred and fifty thouſand men, under the command of Buonaparte, ſpread upon the coaſt of France, and aided by all the vaſt reſources of his genius, would moſt probably be enabled to invade England; in which event their Government would be overturned; but ſhould this invaſion not be abſolutely effected, yet the alarm it would ſpread through the nation, the enormous expence it muſt produce, would infallibly ruin them, if it was to be continued; and would drive them to ſave themſelves by a peace; that independent of this, France poſſeſſed means which would infallibly deſtroy their Bank, and their whole paper ſyſtem. He ſaid he knew very well it was generally conjectured, that Buonaparte would leave Italy, and the army which had conquered under him, and which adored him; he aſſured [us that] nothing could be more unfounded than the conjecture, that Buonaparte had for more than ten days left Italy for Raſtadt, to preſide over the Congreſs which was formed for adjuſting the affairs of the empire. He ſaid that Pitt himſelf was ſo confident of the abſolute neceſſity of peace, that after the naval victory over the Dutch, he had ſignified his readineſs to treat on the ſame terms he had offered before that action; we could

not then rely on the aſſiſtance of England. What, he aſked, would be our ſituation, if peace ſhould be made with England before our difference with France would be accommodated? But, he continued, if even England ſhould be able to continue the war, and America ſhould unite with her, it would not be in our power to injure France. We might, indeed, wound her ally; but if we did, it would be ſo much the worſe for us. After having ſtated the dangers attending us, if we ſhould engage in the war, he proceeded to the advantages we might derive from a neutral ſituation; and inſiſted at large on the wealth which would naturally flow into our country from the deſtruction of England.

He next proceeded to detail the propoſitions which are in ſubſtance in the paper annexed, marked (A.) except that he inſiſted that we ſhould engage to uſe our influence with our Government for the loan. He ſtated expreſsly, that the propoſitions were to be conſidered as made by us; that M. Talleyrand would not be reſponſible for the ſucceſs of any one of them; he would only undertake to uſe his influence with the Directory in ſupport of them. The propoſition he ſaid, concerning a ſuſpenſion of hoſtilities on the part of France, was one which proceeded entirely from himſelf; M. Talleyrand had not been conſulted upon it; and he could not undertake to ſay that that gentleman would conſent even to lay it before the Directory. The propoſition for an advance in the Government of France, of as much money as was due from it to our citizens on contract, and as might be determined to be due for veſſels improperly captured and condemned, was, he ſaid, indiſpenſable; unleſs we made that, it was unneceſſary to make any other; for the others would not be received.

He expatiated on the vaſt advantages we ſhould derive from delay; it was, he ſaid, abſolutely to gain our cauſe. He returned to the danger of our ſituation and the policy of making with France any accommodation which France would aſſent to. Perhaps, ſaid he, you

believe that in returning and expoſing to your countrymen the unreaſonableneſs of the demands of this Government, you will unite them in their reſiſtance to thoſe demands; you are miſtaken—you ought to know that the diplomatic ſkill of France, and the means ſhe poſſeſſes in your country, are ſufficient to enable her, with the French party in America, to throw the blame which will attend the rupture of the negotiations on the Federaliſts, as you term yourſelves, but on the Britiſh party, as France terms you, and you may aſſure yourſelves this will be done. He concluded with declarations of being perfectly diſintereſted; and declared that his only motives for ſpeaking thus freely were his friendſhip for M. Talleyrand, and his wiſh to promote the intereſts and peace of the United States.

We told him that the freedom with which he had ſpoken, and which was agreeable to us, would induce us to ſpeak freely alſo; and for once to accompany our view of the preſent ſtate of things with a retroſpect of the paſt; that America was the only nation upon earth which felt and had exhibited a real friendſhip for the Republic of France; that among the empires round her, which were compelled to bend beneath her power, and to obey her commands, there was not one which had voluntarily acknowledged her Government, or manifeſted for it ſpontaneouſly, any mark of regard. America alone had ſtepped forward, and given the moſt unequivocal proofs of a pure and ſincere friendſhip, at a time when almoſt the whole European world, when Auſtria, Germany, Pruſſia, Ruſſia, Spain, Sardinia, Holland, and Britain, were leagued againſt France; when her ſituation was in truth hazardous, and it was dangerous to hold even friendly intercourſe with her, America alone ſtood forward, and openly and boldly avowed her enthuſiaſm in favour of the Republic, and her deep and ſincere intereſt in her fate.

From that time to the preſent, the Government and People of the United States have uniformly manifeſted a ſincere and ardent friendſhip for France, and have, as they conceive, in no ſingle inſtance, given to this Re-

public juſt cauſe of umbrage: if they have done ſo, they wiſh it to be pointed out to them. After the determination of France to break off all regular intercourſe with them, they have ſent three Envoys Extraordinary to endeavour to make ſuch explanations as might produce reconciliation; theſe Envoys are prepared to inveſtigate, and wiſh to inveſtigate any meaſures which may have given offence—and are perſuaded that they can entirely juſtify the conduct of their Government.

To this diſtant, unoffending, friendly Republic, what is the conduct and the language of France? Wherever our property can be found, ſhe ſeizes and takes it from us; unprovoked, ſhe determines to treat us as enemies, and our making no reſiſtance produces no diminution of hoſtilities againſt us; ſhe abuſes and inſults our Government, endeavours to weaken it in the eſtimation of the People, recals her own Miniſter, refuſes to receive ours, and when extraordinary means are taken to make ſuch explanations as may do away miſunderſtandings, and ſuch alterations in the exiſting relations to the two countries, as may be mutually ſatisfactory, and may tend to produce harmony, the Envoys who bear theſe powers are not received; they are not permitted to utter the amicable wiſhes of their country; but in the haughty ſtyle of a maſter, they are told, that unleſs they will pay a ſum to which their reſources ſcarcely extend, that they may expect the vengeance of France, and, like Venice, be eraſed from the liſt of nations: that France will annihilate the only free Republic upon earth, and the only nation in the univerſe which has voluntarily manifeſted for her a cordial and real friendſhip. What impreſſion muſt this make upon the mind of America, if, without provocation, France was determined to make war upon us, unleſs we purchaſed peace? We could not eaſily believe that even our money would ſave us—our independence would never ceaſe to give offence, and would always furniſh a pretext for freſh demands. On the advantages of neutrality, it was unneceſſary to ſay any

thing; all the efforts of our Government were exerted to maintain it; and we would never willingly part with it. With reſpect to a political connection with Britain, we told him that America had never contemplated it. Whether the danger that he repreſented that Government to be in, was or was not real, he would not undertake to decide. Britain, we believed, had much reaſon to wiſh for peace; and France had much reaſon to wiſh for peace alſo: if peace already exiſted, it would not change the courſe America would purſue.

M. Y. manifeſted the moſt exceſſive impatience; he interrupted us and ſaid, This eloquent diſſertation might be true; America might have manifeſted, and he believed had manifeſted great friendſhip for France, and had juſt complaints againſt her; but he did not come to liſten to thoſe complaints. The Miniſter would, on our requeſt, make for us certain propoſitions to the Directory; he had ſtated them to us; and all the anſwer he wiſhed was, yes or no. Did we or did we not ſolicit the Miniſter to make the propoſition for us? We told him, that without going farther into the diſcuſſion, we choſe to remark one or two things; they were, that the exiſting treaties gave to France certain advantages which were very eſſential; that eſpecially the American coaſt afforded a protection near two thouſand miles in extent to the prizes made by France on her enemies, and refuſed that protection to the prizes taken from her; that ſhe might be aſſured, that in caſe of war theſe advantages would be loſt for ever. We alſo told him, we were convinced that France miſcalculated on the parties in America; that the extreme injuſtice offered to our country would unite every man againſt her. M. X. informed us, that M. Talleyrand would not conſent even to lay this propoſition before the Directory without previouſly receiving the 50,000l., or the greater part of it.

M. Y. left in writing his propoſitions, and we returned the anſwer annexed, and marked (B).

November 1ſt.

It was at length agreed, that we would hold no more indirect intercourſe with the Government.

November 3d.

M. X. called on us, and told General Pinckney and General Marſhall (Mr. Gerry not being within), that M. Y. wiſhed once more to ſee us. We anſwered, that we ſhould at any time be glad to ſee M. Y. as a private gentleman; but that if his object was only to repeat his propoſitions for money, it was perfectly unneceſſary to do ſo; becauſe on that ſubject it was impoſſible for us to change the anſwer we had already given. We told him farther, that we conſidered it as degrading our country to carry on farther ſuch an indirect intercourſe as we had for ſome time ſubmitted to, and had determined to receive no propoſitions, unleſs the perſons who bore them had acknowledged authority to treat with us. He ſaid, that perhaps M. Y. might have written powers from the Miniſter; and we replied, that if he had we ſhould receive his communications with pleaſure. He ſpoke of a probable peace with England, and, having requeſted us to be at home in the afternoon, left us.

About three o'clock he came, and, after ſome converſation, in which we repeated in ſubſtance what is ſtated above, he ſhewed us a paper, which he ſaid was a copy of a letter, prepared for us by M. Talleyrand, requeſting an explanation of part of the Preſident's ſpeech, and which he ſaid would be ſent, unleſs we came into the propoſitions which had been made us. We wiſhed to take a copy of it, which he declined permitting, ſaying he was forbidden to allow it. We ſpoke of the letter coming to us as a meaſure we had no expectation of preventing; and he ſaid he could not underſtand that we wiſhed it delayed. To which we anſwered, that the delay of a few days could not be deſired, unleſs a hope exiſted that the Directory might become more friendly to our country.

He ſaid that intelligence had been received from the United States, that if Colonel Burr and Mr. Maddiſon had conſtituted the miſſion, the differences between the two nations, would have been accommodated before this time. He added, as a fact he was not inſtructed to communicate, that Mr. Talleyrand was preparing a memorial to be ſent out to the United States, complaining of us as being unfriendly to an accommodation with France. We replied to this intelligence from the United States, that the Miniſter's correſpondents in America took a good deal on themſelves, when they undertook to ſay how the Directory would have received Colonel Burr and Mr. Maddiſon; and that with reſpect to the memorial of M. Talleyrand, it would not be eaſy for him to convince our countrymen, that the ſtatements we ſhould make were untrue; if, however, we were confident that our conduct would be condemned, M. Talleyrand might be aſſured that the fear of cenſure would not induce us to deſerve it; but that we ſhould act in a manner which our own judgements and conſciences would approve of; and we truſted we ſhould be ſupported by the great body of candid and honeſt men. In this converſation we again ſtated, that America had taken a neutral poſition; that ſhe had faithfully ſought to preſerve it; that a loan of money to one of the Belligerent Powers was directly to take part in the war; and that to take part in the war againſt her own judgement and will, under the coercion of France, was to ſurrender our independence.

EXHIBIT A.

[Encloſed in the Envoy's Letter of November 8, 1797, No. 2.]

The American Envoys ſhall remain here for ſix months, in the ſame manner and upon the ſame foot-

ing, with regard to etiquette, as did M. d'Aranjo, the Envoy of Portugal.

II.

There ſhall be named a Commiſſioner of five Members, agreeably to a form to be eſtabliſhed for the purpoſe of deciding upon the reclamations of the Americans, relative to the prizes made on them by the French privateers.

III.

The American Envoys will engage, that their Government ſhall pay the indemnifications, or the amount of the ſums already decreed to the American creditors of the French Republic, and by the Commiſſioners. This payment ſhall be made under the name of an advance to the French Republic, who ſhall repay it in a time and a manner to be agreed upon.

IV.

One of the American Envoys ſhall return to America, to demand of his Government the neceſſary powers to purchaſe, for caſh, the thirty-two millions of Dutch reſcriptions belonging to the French Republic, in caſe the Envoys ſhould conclude a treaty which ſhall be approved by the two nations.

V.

In the interval, the definitive treaty ſhall proceed for the termination of all differences exiſting between the French Republic and the United States, ſo as that the treaty may be concluded immediately on the return of the Deputy.

VI.

The queſtion of the rôle d'equipage ſhall remain ſuſpended until the return of the Deputy, and the commiſſion ſhall not pronounce upon any reclamation where this point ſhall be in queſtion.

VII.

During the ſix months granted for the going and returning of the Deputy, hoſtilities againſt the Americans ſhall be ſuſpended, as well as the proceſs for condemnation, before the Tribunals: and the money of the prizes already condemned, in the hands of the civil officers of the nation, ſhall remain there, without being delivered to the privateers-men, until the return of the Deputy.

EXHIBIT B.

[*Received with the Envoy's Letter No.* 2, *dated* 8*th November*, 1797.]

The Envoys Extraordinary and Miniſters Plenipotentiary of the United States, cannot avoid obſerving the very unuſual ſituation in which they are placed, by the manner in which they are alone permitted to make communications on the objects of their miſſion: they are called upon to pledge their country to a very great amount, to anſwer demands which appear to them as extraordinary as they were unexpected, without being permitted to diſcuſs the reaſon, the juſtice, or the policy on which thoſe demands are founded, and not only without aſſurances that the rights of the United States will in future be reſpected, but without a document to prove that thoſe to whom they are required to open themſelves without reſerve, and at whoſe inſtance they are called on to ſacrifice ſo much, are empowered, even by the Miniſter, to hold any communication with them: yet ſuch is the anxious and real ſolicitude of the Envoys to ſeize any occaſion which may afford a hope, however diſtant, of coming to thoſe explanations which they ſo much wiſh to make with this Republic, that they paſs over the un-

common and informal modes which have been adopted, and will only conſider the propoſitions themſelves.

I.

The Miniſters of the United States will permit no perſonal conſiderations to influence their negotiations with the French Republic. Although they expected the extraordinary means adopted by their government to reconcile itſelf to that of France would have been received with ſome degree of attention, yet they are too ſolicitous to enter upon the important and intereſting duty of their miſſion, to permit themſelves to be reſtrained by forms and etiquette.

II.

On this article it is believed there can be no diſagreement.

III.

This article, as explained, would oblige the United States to advance, not to their own citizens, but to the government of France, ſums equivalent to the depredations made by the Corſairs of the Republic on the American commerce, and to the contracts made with their citizens by France; and this advance, inſtead of benefiting the citizens of the United States, would leave them preciſely what they now are, the creditors of the French Republic: the more extenſive the depredations, and the more conſiderable the contracts uncomplied with, the more would the government of France receive from the United States. Independent of theſe objections, the Miniſters of the United States cannot engage to aſſume, in any form, the debts due from France to their fellow-citizens: they have no ſuch power.

IV.

If the negotiations be opened, and the propoſitions for a loan, or any other propoſitions, exceeding the

powers of the Miniſters, be made, the government of the United States will be conſulted thereon with expedition.

V.

This or any other propoſition, having for its object the claims of the two nations on each other, or an accommodation of differences, will be embraced with ardour by the Miniſters of the United States.

VI.

It cannot eſcape notice, that the queſtion of the Rôle d'Equipage may involve in it every veſſel taken from the United States: the Miniſters, however, conſider it, and wiſh to take it up as a ſubject of negotiation.

VII.

On this article it is only to be obſerved, that the ſeaſon of the year is ſuch, as probably to render a return within ſix months, of the Envoy who might ſail to the United States, impracticable: proviſion ſhould be made for ſuch an event.

If the difficulties attending the propoſitions for a loan and a compenſation for paſt injuries be ſuch as to require time for their removal, the Miniſters of the United States propoſe that the diſcuſſions on the relative ſituation of the two countries, may commence in the uſual forms; that the relation to each other may be ſo regulated, as to obviate future miſunderſtandings; and that the adjuſtment of the claims of the citizens of the United States, whoſe veſſels have been captured, may be made after a deciſion on the point firſt mentioned.

No diplomatic gratification can precede the ratification of the treaty.

(No. III.)

Paris, November 27, 1797.

DEAR SIR,

On the 11th inſtant we tranſmitted the following official letter to the Miniſter of Foreign Affairs.

" *Citezen Miniſter*,

" The underſigned Envoys Extraordinary and Miniſters Plenipotentiary of the United States of America to the French Republic, had the honour of announcing to you officially, on the 6th of October, their arrival at Paris, and of preſenting to you on the 8th, a copy of their letters of credence. Your declaration at that time, that a report on American affairs was then preparing, and would in a few days be laid before the Directory, whoſe deciſion thereon, ſhould, without delay, be made known; has hitherto impoſed ſilence on them. For this communication they have waited with that anxious ſolicitude which ſo intereſting an event could not fail to excite, and with that reſpect which is due to the government of France. They have not yet received it; and ſo much time has been permitted to elapſe, ſo critical is the ſituation of many of their countrymen, and ſo embarraſing is that of the underſigned, both as it reſpects themſelves and the government they repreſent, that they can no longer diſpenſe with the duty of ſoliciting your attention to their miſſion.

" The United States, Citizen Miniſter, at an epoch which evinced their ſincerity, have given inconteſtable proofs of their ardent friendſhip, of their affection for the French Republic: theſe were the reſult, not of their unparalleled proweſs and power, but of their confidence in her juſtice and magnanimity; and in ſuch high eſtimation was the *reciprocity* of her friendſhip held by them, as to have been a primary object of national concern. The preſervation of it was dear to them; the loſs of it, a ſubject of unfeigned regret, and the recovery of it, by every meaſure which ſhall

conſiſt with the rights of an independant nation, engages their conſtant attention. The government of the United States, we are authorized to declare, has examined, with the moſt ſcrupulous juſtice, its conduct towards its former friend. It has been led to this by a ſincere deſire to remove of itſelf every juſt cauſe of complaint; conceiving that, with the moſt upright intentions, ſuch cauſe may probably exiſt: and although the ſtricteſt ſearch has produced no ſelf-reproach, although the government is conſcious that it has uniformly ſought to preſerve, with fidelity, its engagements to France, yet far from wiſhing to exerciſe the privilege of judging for itſelf, on its own courſe of reaſoning, and the lights in its own poſſeſſion, it invites fair and candid diſcuſſion; it ſolicits a reconſideration of the paſt; it is perſuaded its intentions, its views, and its actions, muſt have been miſrepreſented and miſunderſtood; it is convinced, the eſſential intereſts of both nations will be promoted by reconciliation and peace, and it cheriſhes the hope of meeting with ſimilar diſpoſitions on the part of the Directory.

" Guided by theſe ſentiments, the Preſident of the United States has given it in charge to the underſigned to ſtate to the Executive Directory the deep regret which he feels at the loſs or ſuſpenſion of the harmony and friendly intercourſe which ſubſiſted between the two Republics, and his ſincere wiſh to reſtore them; to diſcuſs candidly the complaints of France, and to offer frankly thoſe of the United States; and he has authoriſed a review of exiſting treaties, and ſuch alterations thereof as ſhall conſiſt with the mutual intereſt and ſatisfaction of the contracting parties.

" This taſk the underſigned are anxious to commence: and truly happy will they be, if their exertions can in any degree contribute to reſtore that friendſhip, that mutual interchange of good offices which it is alike their wiſh and their duty to effect between the citizens of the two Republics.

" The underſigned pray you, Citizen Miniſter, to

preſent this communication to the Executive Directory, and to receive the aſſurances of their moſt perfect conſideration.

(Signed)
CHARLES COTESWORTH PINCKNEY.
J. MARSHALL.
ELBRIDGE GERRY.

Paris, Nov. 11, in the 22d Year of the American Independance.

"To the Miniſter of Foreign Affairs of the French Republic."

No anſwer having been given to it on the 21ſt inſtant, we requeſted Major Rutledge to wait on the Miniſter, and inquire of him whether he had communicated the letter to the Directory, and whether we might expect an anſwer: he replied that, he had ſubmitted our letter to them, and that they would direct him what ſteps to purſue, of which we ſhould be informed. We have not however hitherto received any official intimation relative to this buſineſs: we are not yet received; and the condemnation of our veſſels for want of a Rôle d'Equipage is unremittingly continued. Frequent and urgent attempts have been made to inveigle us again into negotiation with perſons not officially authoriſed, of which the obtaining money is the baſis; but we have perſiſted in declining to have any further communication relative to diplomatic buſineſs with perſons of that deſcription; and we mean to adhere to this determination. We are ſorry to inform you, that the preſent diſpoſition of the Government of this country appears to be as unfriendly towards ours as ever, and that we have very little proſpect of ſucceeding in our miſſion.

We have the honour to be,
Your moſt obedient humble ſervants,
CHARLES COTESWORTH PINCKNEY.
J. MARSHALL.
E. GERRY.

Col Pickering.

(No. IV.)

Dear Sir, *Paris, Dec.* 24, 1797.

We have not yet received any anſwer to our official letter to the Miniſter of Foreign Affairs, dated the 11th of laſt month, and mentioned in Number Three; but reiterated attempts have been made to engage us in negotiation with perſons not officially authoriſed; and you will find by the Exhibits marked A. B. and C. herewith ſent, ſome important information relative to the views and intentions of the French Government with reſpect to ours. We are all of opinion, that if we were to remain here for ſix months longer, without we were to ſtipulate the payment of money, and a great deal of it, in ſome ſhape or other, we ſhould not be able to effectuate the objects of our miſſion, ſhould we be even officially received; unleſs the projected attempt on England was to fail, or a total change take place in the perſons who at preſent direct the affairs of this Government. In this ſituation of matters, we are determined, by the 10th of next month, ſhould they remain as they are, to tranſmit another letter to the Miniſter, repreſenting, as far as may be expedient, the views of our Government.

We have the honour to be

Your moſt obedient humble Servants,

CHARLES COTESWORTH PINCKNEY.
J. MARSHALL.
B. GERRY.

EXHIBIT A.

[Incloſed in the Envoy's Letter, No. 4.]

On the 14th of December, M. X. called on me in order, as he ſaid, to gain ſome information relative to

ſome lands in - - - - purchaſed by - - - - - for whom - - - - - - - . Soon afterwards General Marſhall came in, and then Mr. Gerry's carriage drove into the yard. Here's Mr. Gerry, ſaid General Marſhall. I am glad of it, ſaid M. X. for I wiſhed to meet all of you gentlemen, to inform you that M. Y. had another meſſage to you from M. Talleyrand. I immediately expreſſed my ſupriſe at it, as M. Talleyrand, M. Y. and he, all knew our determination to have no farther communication on the ſubject of our miſſion, with perſons not officially authoriſed. He replied, that determination was made ſix weeks ago; and it was preſumed that we had changed our opinion. I ſaid that I had not; and I did not believe my colleagues had. At that moment Mr. Gerry entered the room, and I privately acquainted him with the object of M. X.'s viſit. General Marſhall, Mr. Gerry, and myſelf, then withdrew into another room, and immediately agreed to adhere to our former reſolution. M. X. was then called in: when I acquainted him, in a few words, with our determination; and Mr. Gerry expatiated more at large on the propriety of our acting in this manner, and on the very unprecedented way in which we had been treated ſince our arrival.

On the 20th of December, a lady, who is well acquainted with M. Talleyrand, expreſſed to me her concern that we were ſtill in ſo unſettled a ſituation; but, adds ſhe, why will you not lend us money? If you would but make us a loan, all matters would be adjuſted: and ſhe added, when you were contending for your revolution, we lent you money. I mentioned the very great difference there was between the ſituation of the two countries at that period and the preſent; and the very different circumſtances under which the loan was made us, and the loan demanded from us. She replied, we do not make a demand; we think it more delicate that the offer ſhould come from you. But M. Talleyrand has mentioned to me (who am ſurely not in his confidence), the neceſſity of your making us a loan; and I know that he has mentioned

it to two or three others, and that you have been informed of it. And I will aſſure you, that if you remain here ſix months longer, you would not advance a ſingle ſtep further in your negotiation without a loan. If that is the caſe, I replied, we may as well go away now. Why that poſſibly, ſaid ſhe, might lead to a rupture, which you had better avoid: for we know we have a very conſiderable party in America, who are ſtrongly in our intereſt. There is no occaſion to enter into a further detail of the converſation. I have only noted this part of it as expreſſive of what, I believe, (as far as relates to the loan and party in America in their favour) to be the ſentiments of the French Government with regard to us.

CHARLES COTESWORTH PINCKNEY.

Dec. 21, 1797.

EXHIBIT B.

[Incloſed in the Envoy's Letter, No. 4.]

Extract from Gen. Marſhall's journal, Dec. 17, 1797. I ſtepped into Mr. Gerry's apartment, where I ſaw M. Y. He expreſſed his regret at having been diſabled to dine with us at M. de Beaumarchais, by an inveterate tooth-ach. He then aſked me whether I had ſeen M. de Beaumarchais lately: I told him, not ſince he dined with us; and that he had left us much indiſpoſed. He then obſerved, that he had not known till lately that I was the advocate for that gentleman in his cauſe againſt the State of Virginia: and that M. de Beaumarchais, in conſequence of that circumſtance, had expreſſed ſentiments of high regard for me. I replied, that M. de Beaumarchais' cauſe was of great magnitude, very uncertain iſſue, and conſequently that a portion of the intereſt he felt in it would very naturally be transferred to his advocate. He immedi-

ately ſaid (low and apart) that M. de Beaumarchais had conſented, provided his claim could be eſtabliſhed, to ſacrifice fifty thouſand pounds ſterling of it, as the private gratification which had been required of us, ſo that the gratification might be made without any actual loſs to the American Goverment. I anſwered, that a gratification on any terms, or in any form, was a ſubject which we approached with much fear and difficulty, as we were not authoriſed by our Government to make one; nor had it been expected that one would be neceſſary; that I could not undertake to ſay whether my colleagues would conſent to it in any ſtate of things; but I could undertake to ſay, no one of us would conſent to it unleſs it was preceded or accompanied by a full and entire recognition of the claims of our citizens, and a ſatisfactory arrangement on the objects of our miſſion. He ſaid it was in the expectation of that event only that he mentioned it. We parted; and I ſtated the converſation to Gen. Pinckney, who was diſinclined to any ſtipulation of the ſort, and conſidered it as a renewal of the old reprobated ſyſtem of indirect, unauthoriſed negotiation.

Having being originally the counſel of M. de Beaumarchais, I had determined, and ſo I informed General Pinckney, that I would not, by any voice, eſtabliſh any agreement in his favour; but that I would poſitively oppoſe any admiſſion of the claim of any French citizen, if not accompanied with the admiſſion of the claims of the American citizens of property captured and condemned for want of a rôle d'equipage. My reaſons for conceiving that this ought to be ſtipulated expreſsly, was a conviction that if it was referred to commiſſioners, it would be committing abſolutely to chance as complete a right as any individuals ever poſſeſſed. General Pinckney was againſt admitting the claim at any rate.

After my return, Mr. Gerry came into my room, and told me that M. Y. had called on him, to accompany him on a viſit to M. Talleyrand; that he propoſed ſeing M. Talleyrand, and returning the civility of the

dinner; and endeavouring to bring about ſome intercourſe between him and us.

Dec. 18.

General Pinckney and Mr. Gerry met in my room; and Mr. Gerry detailed to us the converſation mentioned in our public letter. The propoſition relative to the claim of M. de Beaumarchais is entirely different from my underſtanding of it in the very brief ſtatement made to me by M. Y. We reſolved that we would rigidly adhere to the rule we had adopted, to enter into no negotiation with perſons not formally authoriſed to treat with us. We came alſo to the determination to prepare a letter to the Miniſter of Foreign Relations, ſtating the object of our miſſion, and diſcuſſing the ſubjects of difference between the two nations, in like manner as if we had been actually received; and to cloſe the letter with requeſting the government to open the negotiation with us, or to grant us our paſſports.

EXHIBIT C.

[Incloſed in the Envoy's Letter, No. 4.]

Dec. 13.

Mr. Gerry, accidentally calling on Gen. Pinckney, found M. X. and was ſoon informed that his object was to obtain another interview between the Miniſters and M. Y. on the affairs of their miſſion. General Marſhall happening alſo to be there, we retired into another room, and immediately agreed to adhere to our former determination, not to have any more informal communication. M. X. having been called in, General Pinckney briefly communicated our determination: and Mr. Gerry obſerved, that he was much hurt by this propoſition; that the Miniſters had already proceeded farther in this mode of communica-

tion than perhaps they could juſtify; that they had refuſed, ſix weeks ago, to renew it; and that ſome regard ought to be paid to their feelings, which had been ſufficiently mortified; that the propoſition was diſreſpectful to the Envoys, as it betrayed a belief that they had loſt a ſenſe of their dignity, and were indeed incompetent to their office; that had there been but one Envoy Extraordinary, he ought to have had an audience in a few days; and that for three to remain between two and three months in this ſituation, was too humiliating, too debaſing for any nation to ſubmit to it; that for his own part, had he been ſent to any other nation in Europe, with two other Envoys, he would not have conſented to have remained in ſuch a ſtate ten days; that, knowing the great deſire of the Government and Nation of the United States to be at peace with France, he had, with his colleagues, ſubmitted to this indignity, at the riſque of the ſevere cenſure of the former. Having alſo enquired of M. X. at what time M. Talleyrand could be ſeen, the former ſaid he would enquire of M. Y. who on the 16th, in the evening, ſent, in Mr. Gerry's abſence from his lodgings, a billet as follows: "M. Y. has the honour to preſent his reſpects to Mr. Gerry, to inform him that he will have the honour to wait on him tomorrow morning, at ten o'clock, to go together to the Miniſter of Foreign Relations. He is, with reſpect," &c. On the morning of the 17th, M. Y. came in while Mr. Gerry was at breakfaſt, not having received an anſwer to his note, and Mr. Marſhall coming in, M. Y. took him aſide, and conferred with him a conſiderable time; after which the former and the reſt of the family left the room, and M. Y. and Mr. Gerry being together, Mr. G. told him that his object in ſeeing M. Talleyrand was to return a civility, by requeſting him to fix a day for dining with Mr. G. who intended to invite his colleagues; by this interview to promote, if poſſible, a better underſtanding between the Miniſter and the Ameri-

can Envoys: and Mr. G. alſo propoſed to confer with the Miniſter on the diſagreeable ſituation the Envoys were in, and to ſtate to him ſome reports which appeared to be founded, reſpecting a propoſition before the Directory for ſending off all Americans in a ſhort period; but Mr. Gerry added, that he could not hear a word on the ſubject of the miſſion, or the preliminaries to a negotiation; as the envoys had determined unanimouſly againſt any informal communications on the ſubject. M. Y. in anſwer ſaid, that Mr. Marſhall had juſt heard him on a ſubject of this kind; and that we might conſider it as he did, merely as a converſation between ourſelves. He then ſtated that two meaſures which M. Talleyrand propoſed being adopted, a reſtoration of friendſhip between the Republics would follow immediately; the one was a gratuity of fifty thouſand pounds ſterling, the other a purchaſe of thirty two millions of Dutch reſcriptions; that as to the firſt, M. de Beaumarchais had received, in a cauſe depending in Virginia, between that State and himſelf, 145,000 l. ſterling, that there was an appeal from the judgment; that he would ſign an act to relinquiſh forty-five thouſand pounds, if the whole ſhould be finally recovered, leaving only one hundred thouſand pounds for himſelf; that the forty-five thouſand pounds might accrue to the United States, who would, in that caſe, loſe but a ſmall part of the fifty thouſand pounds; that the purchaſe of ſixteen millions of reſcriptions would amount to but one million three hundred and thirty-three thouſand pounds, ſix ſhillings, and eight-pence ſterling, which, with an intereſt of five per cent. would be certainly paid by the Government of Holland to the United States, and leave them without any loſs, that more than half the ſum may now be hired in Holland, on the credit of the reſcriptions, and an eaſy arrangement be made for payment by ſhort inſtallments, which might be obtained alſo by a loan; that it was worthy the attention of the Envoys to conſider, whether by ſo ſmall a ſacrifice they would eſtabliſh a peace with France, or whether they would riſk the conſequences; that if nothing could be done by the Envoys, arrangement would be made forthwith to ravage

the coaſts of the United States by frigates from St. Domingo; that ſmall ſtates which had offended France were ſuffering by it: that Hamburgh and other cities in that quarter would, within a month or two, have their Governments changed; that Switzerland would undergo the ſame operation; and that Portugal would probably be in a worſe predicament: that the expedition againſt England would be certainly purſued; and that the preſent period was the moſt favourable, if we wiſhed to adopt any meaſure for a pacification.

Mr. Gerry, in anſwer, ſaid, that if the French were diſpoſed to purſue with vengeance the United States, they might perhaps ravage their coaſts, and injure them in this way, but they never could ſubdue them: the meaſure he thought utterly impracticable, even if attempted by France and her allies. To which M. Y. aſſented. Mr. Gerry obſerved further, that the ravages alluded to would undoubtedly cloſely connect the United States and Great Britain, and prevent the former from returning to the friendſhip which they have ever had for France; that as to the propoſitions, he ſhould expreſs no opinion on them; that his ſituation, and that of his colleagues, was extremely difficult; that the Directory was excluſively prejudiced againſt the Government of the United States, and conſidered them as the friends of Great Britain; that if the Envoys could have an opportunity of being heard, they could remove ſuch impreſſions, and ſhow, that the Government were the friends of France as much as of Great Britain; but that the Envoys were now in the moſt painful ſituation; that they were treated, in the eyes of all Europe, and of the American Government and Nation, with the utmoſt contempt, and were ſubmitting to indignities which they could not reconcile to their feelings, or juſtify to their conſtituents.

M. Y. ſaid, that the obſervations were juſt: but that the American Envoys had not experienced worſe treatment than other Miniſters, nor indeed as bad; that the Envoy of Portugal was again ordered to depart; and that but little ceremony was obſerved to the Envoys in general. M. Y. and Mr. Gerry then took a ride to M. Talleyrand's

Bureau, who received them politely: and after being ſeated, Mr. Gerry obſerved to M. Talleyrand, in Engliſh, ſlowly, that M. Y. had ſtated to him that morning ſome propoſitions, as coming from M. Talleyrand, reſpecting which, Mr. G. could give no opinion: that his object at this interview was, to requeſt of him information whether he would fix a time for taking a dinner with Mr. Gerry, at which he propoſed to invite his colleagues; that he wiſhed for more frequent interviews of ſome kind or other between himſelf and the Envoys, conceiving that many imaginary difficulties which obſtracted the negotiation would vaniſh by this means; and that thoſe which were real, would be ſurmounted: that conceiving the delicate part which the Miniſter of France had to act, at this time, he did not wiſh M. Talleyrand to accept the invitation, if it would ſubject him to inconveniences: that he wiſhed to ſpeak on another ſubject, and it was painful to him to acknowledge that the precarious ſituation of the Envoys was ſuch, as to render it impoſſible for them to take meaſures for decent arrangements; that a ſhort time ſince he had ſuppoſed meaſures were taking a favourable turn; but that lately he had received, from various quarters, information of a report made by the Miniſter of the Interior, and under the conſideration of the Directory, for ſending all Americans from Paris in twenty-four hours; that he could not be reſponſible for the truth of the information, but it appeared to him, as well from the various quarters from which it came, as from the intelligence of the perſon who gave it, to be highly probable; that if this was the caſe, it was unneceſſary for the Directory, as he conceived, to paſs any arrête, as it reſpected the Envoys, for that they would depart from Paris whenever it was hinted as the wiſh of the Directory; that for his own part he ſhould feel more at eaſe, until we were received, to reſide in a city of ſome other nation than that of France; and to return to Paris on notice that the Directory were diſpoſed to open the negociation.

M. Talleyrand appeared to be very uneaſy at this declaration, but avoided ſaying a word on it. He ſaid, that the information M. Y. had given me was juſt, and might

always be relied on; but that he would reduce to writing his propoſitions, which he accordingly did; and after he had ſhewn them to Mr. Gerry, he burnt the paper. The ſubſtance was as follows. (See No. 1. below.)

He then ſaid that he accepted of the invitation; that he would dine with him the decade after the preſent, in which he was engaged.

Mr. Gerry did not repeat all that he had ſaid to M. Y. having no doubt he would communicate the whole to M. Talleyrand. And, after expreſſing a friendſhip for the French Republic, and a warm deſire to renew the former attachment of the two Republics, which M. Talleyrand warmly reciprocated, Mr. Gerry bid M. Talleyrand adieu, leaving with him M. Y.

(No. 1.)

That the Envoys ſhould come forward generally and ſay: "France has been ſerviceable to the United States, and now they wiſh to be ſerviceable to France: underſtanding that the French Republic has ſixteen millions of Dutch reſcriptions to ſell, the United States will purchaſe them at par, and will give her further aſſiſtance when in their power.

"The firſt arrangement being made, the French Government will take meaſures for reimburſing the equitable demands of America, ariſing from prizes, and to give free navigation to their ſhips in future."

(No. 5.)

DEAR SIR, *Paris, Jan.* 8, 1798.

We embrace an unexpected opportunity to ſend you the "Redacteur," of the 5th inſt. containing the meſ-

ſage of the Directory to the Council of Five Hundred, urging the neceſſity of a law, to declare as good prize all neutral ſhips, having on board merchandizes and commodities, the production of England, or of the Engliſh poſſeſſions, that the flag, as they term it, may no longer cover the property; and declaring further, that the ports of France, except in caſe of diſtreſs, ſhall be ſhut againſt all neutral ſhips, which, in the courſe of their voyage, ſhall have touched at an Engliſh port. A commiſſion has been appointed to report on the meſſage, and it is expected that a decree will be paſſed in conformity to it.

Nothing new has occurred ſince our laſt, in date of 24th ult. We can only repeat, that there exiſts no hope of our being officially received by this Government, or that the objects of our miſſion will be in any way accompliſhed. We have the honour to be, with great reſpect, your moſt obedient ſervants,

CHARLES COTESWORTH PINCKNEY,
J. MARSHALL.
E. GERRY.

T. PICKERING, ESQ.

Poſtſcript to a triplicate of the Envoy's Letter, No. 5, received 30th March, 1798.

The law above-mentioned has been paſſed unanimouſly by the Council of Five Hundred, and we encloſe a journal containing the account.—There is no doubt but that it will be adopted without oppoſition, by the Council of Ancients.

TRANSLATION.

Meſſage to the Council of Five Hundred, of the 15th Nivoſe, 6th Year, (4th Jan. 1798.)

Citizens Repreſentatives,

On this day, the 15th of Nivoſe, and at the very hour at which the Executive Directory addreſſes this meſſage

to you, the Municipal Adminiſtrators, the Juſtices of the Peace, the Commiſſaries of the Directory, and the Superintendants of the Cuſtoms, are proceeding in all the chief places of the departments, in all the ports, and in all the principal communes of the Republic, to ſeize the Engliſh merchandize now in France, or introduced into its territory, in contravention of the law of the 10th Brumaire, 5th year (October 31, 1796.)

Such is the firſt act by which, now that peace is given to the continent, the war declared long ſince againſt England, is about to aſſume the real character that becomes it. The French will not ſuffer a power, which ſeeks to found its proſperity upon the misfortune of other nations, to raiſe its commerce upon the ruin of that of other ſtates, and which aſpiring to the dominion of the ſeas, wiſhes to introduce, every where, the articles of its own manufacture, and to receive nothing from foreign induſtry—any longer to enjoy the fruit of its guilty ſpeculations.

The Engliſh Government has kept in pay, during the war, the coaleſced forces, with the produce of its manufactures. It has violated all the principles of the law of nations, in order to ſhackle the relations of neutral powers: it has cauſed to be ſeized the proviſions, corn, and commodities, which it ſuppoſed to be deſtined for France: it has declared contraband every thing which it thought could be uſeful to the Republic: it deſired to ſtarve it.—All the citizens call for vengeance.

When it had to fear the capture of veſſels ſailing under its flag, it corrupted foreign captains to induce them to take on board their veſſels Engliſh merchandize, and thus to introduce it, by ſtratagem, by fraud, or otherwiſe, into other ſtates, and eſpecially into the French Republic.

The neutral powers ſhould have perceived, that, by this conduct, their merchants took part in the war, and that they lent aſſiſtance to one of the Belligerent Powers.

We ſerve a party as well when we procure for it the means of augmenting its forces, as when we unite ourſelves to thoſe which it has. The neutral powers ſhould have perceived, that England, by ſtopping the veſſels of

other powers, laden in their reſpective ports, and deſtined for France, by permitting articles, coming from her own manufactories, alone to circulate, aimed at an excluſive commerce, and that it would be neceſſary to ſeek reparation for ſuch an attempt.

The ordinance of the marine, and the regulations of 1704, have declared lawful prize, the veſſels and their cargoes in which is found Engliſh merchandize belonging to enemies. Theſe proviſions ſhould be extended. The intereſt of Europe requires it.

The Directory thinks it urgent and neceſſary to paſs a law, declaring that the character of veſſels, relative to their quality of neutral or enemy, ſhall be determined by their cargo, and the cargo ſhall be no longer covered by the flag; in conſequence, that every veſſel found at ſea, having on board Engliſh proviſions and merchandize as her cargo, in whole or in part, ſhall be declared lawful prize, whoſoever may be the proprietor of theſe proviſions or merchandize: which ſhall be reputed contraband, for this cauſe alone, that they come from England or her poſſeſſions.

It would be uſeful to declare, at the ſame time, that except in the caſe of diſtreſs, the ports of the Republic ſhall be ſhut to all foreign veſſels, which, in the courſe of their voyage, ſhall have entered thoſe of England. The Executive Directory requeſts you, Citizens Repreſentatives, to adopt theſe meaſures. No neutral or allied power can miſtake their object, nor complain of them, unleſs it be already abandoned to England. The infallible effect of the meaſure is to enhance the value of the produce of their own ſoil and induſtry, to increaſe the proſperity of their commerce, to repel every thing that comes from England, and eſſentially to influence the concluſion of the war.

Such are the motives which induce the Executive Directory to invite you, Citizens Repreſentatives, to take the object of this meſſage into the moſt prompt conſideration.

(Signed) P. BARRAS, Preſident,
LAGARDE, Secretary General.

Plan of a decree reported by M. Villers to the Council of Five Hundred, in its ſitting of the 11*th of January*, 1798, *tranſlated from a Paris paper, entitled, Journal du Soir, of the ſame day, incloſed in the triplicate of the Envoy's Letter, No.* 5, *dated* 8*th January*, 1798.

" Firſt, The character of a veſſel, relative to the quality of neuter or enemy, is determined by her cargo.

" In conſequence, every veſſel loaded in whole, or in part, with Engliſh merchandize, is declared lawful prize, whoever the owner of the ſaid merchandize may be.

" 2d, Every foreign veſſel, which, in the courſe of her voyage, ſhall have entered an Engliſh port, ſhall not enter France, except in caſe of diſtreſs: ſhe ſhall depart thence as ſoon as the cauſes of her entry ſhall have ceaſed."

This decree was immediately and unanimouſly adopted.

THE END.